G.R. III.
BRITISH MUSEUM

PLAN of the TOWN and HARBOUR of WHITBY.

Made in the Year 1778, by L. CHARLTON.

REFERENCES.

A. *Skinner Street.*
B. *Silver Street.*
C. *Scate Lane.*
D. *Baxtergate.*
E. *New Chapel.*
F. *Flowergate.*
G. *Cliff Lane.*
H. *Old Market Place.*
I. *St. Anns Staith.*
K. *Hackergate.*
L. *Seamens Hospital.*
M. *Church Street.*
N. *Grape Lane.*
O. *Bridge Street.*
P. *Sandgate.*
Q. *Shambles.*
R. *Market Place.*
S. *Tolbooth.*
T. *Henrietta Street.*
V. *Workhouse.*
W. *Penny Hedge.*

Water Stead Lane.
Boghall
Stone Quay
Dry Dock
Quay
Dry Dock
Brockdale
Dry Dock
Signal Flag
Drag
Sandy Beach
Low water mark
Scouth head
West Pier
Draw Bridge
Burgess Ber
at half Ebb
BELL ISLAND, dry
RIVER ESKE
Rope Walk
Spittle Bridge
Green Lane
Dry Docks
Rope Walk
Stables formerly Abbs house
House of N. Chaloner Esq. formerly the Abbots
Church
Abbey
Haglathe
here Streanshalh formerly stood.
East Pier
Smooth black Rock intermixed with Large stones
GERMAN OCEAN

Scale of Yards.
0 100 200 300 400 500

Jas. Taylor Sculp.

209 e 11

THE HISTORY OF WHITBY, AND OF WHITBY ABBEY.

Collected from the original RECORDS of the ABBEY, and other authentic MEMOIRS, never before made public.

CONTAINING,

Not only the Hiſtory of WHITBY and the Country adjacent, but alſo the Original and Antiquity of many *particular* Families and Places in other Parts of YORKSHIRE.

DIVIDED INTO THREE BOOKS.

BOOK I. The Hiſtory of Whitby, and of Whitby Abbey, before the Conqueſt.

BOOK II. The Continuation of that Hiſtory to the Diſſolution of the Monaſtery.

BOOK III. The further Continuation of that Hiſtory to the End of the Year 1776, with the preſent State of Whitby, &c. &c. &c.

Neſcire quod antequam natus eſſes actum eſt, id ſemper eſſe puerum. CICERO.

By LIONEL CHARLTON,
TEACHER of the MATHEMATICS at WHITBY.

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M, DCC, LXXIX.

G.R. III.
BRITISH MUSEUM

TO NATHANIEL CHOLMLEY, ESQUIRE,
LORD OF THE MANOR of WHITBY:

TO HIS MAJESTY's JUSTICES OF THE PEACE
IN THE TOWN OF WHITBY:

TO THE BURGESSES, THE GENTLEMEN AND
LADIES, AND ALL THE INHABITANTS
OF WHITBY IN GENERAL:

THIS HISTORY, AS A TESTIMONY OF
GRATITUDE AND ESTEEM,
IS MOST HUMBLY DEDICATED BY,
THEIR OBEDIENT AND
DEVOTED SERVANT,

LIONEL CHARLTON.

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THE

PREFACE.

MONASTERIES here in England were formerly not only the principal ſeminaries of learning, but alſo the great repoſitories where all hiſtory, whether ſacred or prophane, was preſerved. In moſt of them writers were continually employed, whoſe buſineſs it was partly to make out fair copies of ſuch books as were to be uſed by the Monks in their daily devotions, and partly to tranſcribe thoſe authors that were then of great fame and eſteem in the learned world. Many of the Monks likewiſe, who were men of real genius and ability, having much ſpare time on their hands, were aſſiſting to theſe ſcribes in their labours, and alſo directed them in what manner they were to note down every material occurrence that happened, whether relating to the religious houſes in which they lived in particular, or to the affairs of the nation in general. Hence it comes to paſs that, from the records compoſed by thoſe men, we are acquainted with many anecdotes and incidents that happened in former ages, which otherwiſe could not have come to our knowledge: But for them the hiſtory of England would have been very imperfect, and all the tranſactions of our Saxon anceſtors would have been as much loſt to us as are thoſe of the Celts and Druids before the coming of Cæſar into Britain. As for particular towns, we could have known no more about them than what had happened there within the memory of man, or ſince the invention of printing at fartheſt; whereas by the care of theſe venerable fraternities we yet have it in our power to make out regular hiſtories, for many ages backwards, of almoſt all thoſe places where their Monaſteries were formerly ſituate, the reading of which muſt give a ſecret pleaſure and ſatisfaction to every liberal mind who lives near them, or is intimately acquainted with what they are at preſent. And it were to be wiſhed that, even in theſe our days, the Clergyman eſtabliſhed in every pariſh throughout his Majeſty's dominions, in imitation of theſe Monks, would ſtill make it his buſineſs to preſerve, in the church to which he belongs, regular accounts of every material tranſaction or occurrence that happened among his pariſhioners during the time of his reſidence there, with all their improvements and diſcoveries in agriculture, the progreſs made by them in the arts and ſciences, and every thing elſe that was ſingular or worthy of the public notice; we ſhould then have many curious and inſtructive hiſtories, from which ſucceeding generations might reap conſiderable advantage.

It is true only a few are properly qualified to peruſe theſe records left us by the Monks; but all will readily own that it would be a great pity to have ſo many noble remains of antiquity moulder away into duſt without being communicated to the world, and preſerved for the benefit and ſatisfaction of future generations. It was this conſideration that firſt induced me to ſet about writing the Hiſtory of Whitby, than which few towns in Europe have better or more antient memoirs belonging to them. I muſt own many of theſe have been peruſed by two or three very noted Antiquarians before me; but that was in ſo tranſient and ſuperficial a manner that almoſt nothing ſeems to have been done by them. Their ignorance alſo with regard to the places mentioned in our records, was another great ſtumbling-block in their way, not to be removed by any thing but a long reſidence upon the place.

To enable me to undertake this hiſtory, it may not be improper to acquaint the reader of the ſecret delight I had in this kind of ſtudy, even before the time of my going to the Univerſity, and of the pleaſure I have ever received from the knowledge of any thing relating to antiquity. This inclination I have always indulged, and find it grow ſtronger and ſtronger upon me as I advance in age. During the thirty years I have reſided at Whitby, I have (I preſume) peruſed every thing material that is now extant relating to the place: Alſo my buſineſs as a ſurveyor of land has rendered me perfectly acquainted with every tract of land, and almoſt every field belonging to Whitby-Strand: While my frequent excurſions into other parts of the county have familiariſed to me almoſt every name and place that occurs in our records. Add to this, a diligent peruſal of theſe records for ſeveral years, through the indulgence and encouragement of N. Cholmley, Eſq; the preſent worthy Lord of our Manor; which has made me ſo much maſter of the ſubject I propoſed to write about, and ſupplied me with ſuch a profuſion of materials, that whatever faults may be eſpied by the Critics in the following ſheets, muſt entirely be imputed to my want of abilities, and the not knowing how to digeſt the ſeveral particulars contained therein more properly. About this I ſhall leave the impartial public to determine, and here only proceed to add a few articles not inſerted in the body of the Hiſtory, which it may be neceſſary the reader ſhould be informed of beforehand.

And to begin with the Benedictine Monks who inhabited our Monaſtery, we muſt obſerve that they were obliged, by the rule of their order, to ſay their prayers ſeven times a day, viz. 1. at cock-crowing, or about three in the morning: 2. at ſix in the morning, when the mattins began: 3. at nine in the morning: 4. at twelve o'clock, or high-noon: 5. at three in the afternoon: 6. at ſix in the evening, when the veſpers began: and 7. after ſeven at night, before they went to reſt.

As for the Ravenhill inſcription, inſerted at page 43 of this hiſtory, the ſtone is now in my poſſeſſion, and is certainly the nobleſt remain of Britiſh antiquity that the age to which it refers can produce, being quite compleat, and every letter thereon very fair and legible, except the ſecond letter in the laſt

laſt line, which I apprehend was defaced by the workmen in taking up. Its being ſo well preſerved, ſeems in a great meaſure owing to its lying more than a yard under the earth's ſurface. That it refers to the Emperor Juſtinian will hardly admit of a diſpute, eſpecially when it is conſidered that the epithet of P. P. or Pater Patriæ, was in thoſe ages never given to any but the Emperor; and that the ſecond and third lines of the inſcription contain the remaining titles of that Emperor, ſeems to me equally clear; nor is it poſſible to make out any reading for the third line without allowing every ſingle letter therein, except IV PR, to ſtand for a word; and we learn from thoſe hiſtorians who lived ſoon after the reign of Juſtinian, that he was honoured with all the titles we find here aſcribed to him, except Britannicus; but we prove by this inſcription, and the caſtle where it was found, that in reality he was dignified with that title alſo.

As for the reading in the laſt line of the inſcription, it ſeems not ſo much upon a certainty: I was formerly of opinion it denoted the intention for which this caſtle was erected, and ought to be read *ad navigantium opus*; but, upon a cloſer examination of the ſtone, I am inclined to think the ſecond letter in this line is G, and that the reading ought to be *A. G. ominibus*; where the two letters A. G. ſtand for the name of the General who acted under Juſtinian here in Britain, by whoſe direction and management this maritime caſtle was built for the protection of our coaſt. However that may be, I do not ſee in what manner the credit of our Engliſh hiſtory can be ſaved, which this old Roman ſtone ſo palpably contradicts.

It will be eaſy for any one to perceive that my chief deſign in writing this hiſtory hath been to oblige my neighbours the inhabitants of Whitby, and the country adjacent, by informing them of every material occurrence that hath come to my knowledge which happened there in former ages. All the charters are carefully and exactly tranſlated into Engliſh; and to have added alſo three or four hundred Latin pages more in quarto, would indeed have obliged a few readers, but it muſt have been at double the expence they will now be at, without having one tittle of more information conveyed to them. It is for the ſame reaſon I have been very ſparing in my references to other authors, though many have been conſulted; and that I have not annexed to each charter the chain of reaſoning I have made uſe of to fix the date of the year when it was wrote, which could have been of very little or no ſervice to the reader, and would have more than doubled the ſize of this volume. Suffice it to ſay, that much pains and labour hath been taken about this particular, and many books of antiquities read over to have the æras of each properly adjuſted; though my greateſt help to do that hath been a comparing the names of the witneſſes by which every charter is atteſted, and carefully conſidering the times in which they lived: And I am really of opinion that every charter is referred, or very nearly referred, to the year when it was firſt wrote. But ſhould there any where be ſome ſmall miſtakes committed in this reſpect, I hope to have the pardon of every indulgent reader, who will conſider what an arduous taſk I had here to encounter

counter with, to overcome which I have done every thing that lay in my power.

Yet however much pains I have taken in this treatiſe to ſuit myſelf to the capacity of the Vulgar, the Antiquarians will not find themſelves wholly diſappointed, ſince they will meet with many particulars here entirely new, ſeveral of which have been inſerted purpoſely to attract their attention, and I cannot help thinking ſome of them will pleaſe. Through the whole hiſtory I have been very careful to retain the old method of ſpelling every name and place I met with in our records; and perhaps in tranſlating I have ſometimes injured the ſenſe by too ſcrupulouſly adhering to the original, which is not always the moſt elegant language, ſince we frequently meet with deficiences there, even in point of grammar: But I did not think myſelf authoriſed to take any great liberties with the venerable remains of our anceſtors, however unpoliſhed and rude their ſtile might in ſome places be, and how widely ſoever the ſpelling in one line might differ from that in a ſucceeding one. It is very poſſible alſo I may have ſometimes erred in not adapting ſuch words and terms as are uſed by our modern Lawyers; but in that I hope to have their pardon, if they find the ſenſe preſerved, which I preſume it every where is, unleſs ſome little deviations be made from the original in tranſlating the charter of King Henry VI. where many of the law-terms and phraſes are very puzzling and intricate.

In the firſt book I have chiefly followed the authority of *Bede's Eccleſiaſtical Hiſtory*, which was wrote ſoon after the time when our Abbey was firſt built; the greateſt part of my quotations in that book are from this venerable author; nay, I have almoſt copied him *verbatim* in many places where no quotation-marks appear, eſpecially in the life of Lady Hilda. However, that has not hindered me from conſulting Ingulphus, William of Malmeſbury, Simeon of Durham, John of Brompton, Camden, Verſtegan, Leland, Dugdale, Burton, Heylin, Rapin, Speed, and ſeveral more of our Antiquarians, to whom proper regard has been had in many places of that book.

The greateſt part of the ſecond book is extracted from the original records of our Abbey, where the numbers in the margin refer to the folio in the Abbot's book from whence each charter is taken; and thoſe charters, where no numbers appear, are taken from *inſpeximus* copies of the ſeveral originals to which they belong; the whole being at this preſent time, as well as the Abbot's book, &c. in the poſſeſſion of Mr. Cholmley; ſo that while theſe remain, no room can be left to doubt of the authenticity of what is to be found in the following ſheets, eſpecially that part thereof which is diſtinguiſhed by quotation-marks, it being tranſlated almoſt *verbatim* from the original Latin.

As for the third book, it is alſo taken from original charters, memoirs, and records, of undoubted authority, lodged in different hands, ſome of them with Mr. Cholmley and other gentlemen in the neighbourhood; ſome belonging to the church, and ſome procured from the Augmentation-Office, &c. in London. While the preſent ſtate of Whitby has been wrote from my own obſervation and knowledge of the place, which is of ſo many years

ſtanding,

ſtanding, that it may be looked upon as the compleateſt part of the work; though here there was room for great additions and enlargements, and much more might have been ſaid, but ſome may poſſibly think I have already been too prolix.

It will be neceſſary here to inform the reader, that in the following hiſtory I have every where rendered *villa* by the Engliſh word *town*, though in many places I am ſenſible it ſignifies no more than a *village*, and even ſometimes a *hamlet*; but theſe are diſtinctions that could not always be properly made, nor do I look upon it as a thing any way material; yet I muſt own the word *village* might have been uſed with much more propriety if (with ſome writers) we only allow that place to be a *town* where a market is weekly held. As for *nepos* I have always tranſlated it *nephew*, which I am poſitive is what it really ſignifies in every one of our records. *Fædum* is almoſt every where rendered by the Engliſh word *freehold*. Whenever there was reaſon to doubt of the ſenſe of any word or ſentence, I have ſet down the original Latin, that the reader may be enabled to judge for himſelf, and if he think proper to put another conſtruction thereon, he may have an opportunity for ſo doing.

With regard to the meaſures of land that occur in this hiſtory, we muſt obſerve, that a *toft* ſignifies the place where a houſe has formerly ſtood, and even ſometimes where it ſtill continues to ſtand. A *croft* is a little cloſe or garth adjoining to a toft. An *oxgang* is a variable quantity of land, ſeldom leſs than ten or more than twenty acres, but generally containing about twelve acres. Eight or ten oxgangs make a *carucate* of land; and ten carucates are deemed to be a *Knight's fee*, a quantity that made all ſuch as formerly poſſeſſed it to be eſteemed Knights, and they were accordingly taxed as ſuch whenever the King ſtood in need of any ſupplies.

Frequent mention is alſo made in this hiſtory of Canons and Monks; to diſtinguiſh which we muſt here obſerve, that a Monk was a religious perſon belonging to ſome Abbey, whereas a Canon was ſuch a one as only lived in a Priory.

Many other obſervations might be added here with regard to particular words and things; but the intelligent reader will either be able to diſcover their ſignification from his own knowledge, or elſe from conſulting a good dictionary; and therefore I ſhall not take up his time in explaining more of them at preſent.

In thoſe ages when our Monaſtery flouriſhed, an image or ſhrine of St. Ninian ſtood in St. Mary's church, to which many devout chriſtians came in pilgrimage, and offered up conſiderable ſums to have the benefit of that Saint's prayers; ſo that we find in the ſummer ſeaſon of the year 1394, the Monks of Whitby received no leſs than four pounds fourteen ſhillings from St. Ninian's box, and in the winter ſeaſon following two pounds four ſhillings and four pence; which in thoſe days, when money was ſcarce, were very conſiderable ſums. This Ninian was a Briton born, who lived before the time of the Saxons coming into England, and had his education at Bangor. He afterwards went to Rome, where *(ſays Bede)* he was perfectly inſtructed in the

the myſteries of the chriſtian religion; and, on returning to his native country, converted the Picts (who lived near the borders between England and Scotland) to the faith of Chriſt. He built a church among them *ad Candidam Caſam*, or *Kirkcudbright*, after a different form from what the Britons had been accuſtomed to build churches, where being eſtabliſhed Biſhop, he ſpent all the remaining part of his life, and finally at his death was interred there, being afterwards canonized, on account of his holineſs, and the many extraordinary miracles which were generally believed to have been wrought by him. His feſtival is obſerved annually by the church of Rome on the 16th day of September.

There was alſo another Saint, called Lothwick, in conſiderable repute at Whitby, of whom I know no other particulars than that the care of their horſes was committed to him, and that for this charge he had eight pence paid him yearly by the Convent of Whitby.

As for the riſe of ſurnames in and about Whitby, much more might be added to what is contained in the following ſheets. The Monks, in the year 1390, had a huntſman named Roger, whom they always called Roger Hunter; and from him, as it appears to me, the family of the *Hunters* derive their original. There lived alſo ſoon after this, at Whitby, a tanner whoſe name was William, to whom the Monks ſold the ſkins of all thoſe animals they uſed; and, to enable him to tan them properly, they ſold him yearly a conſiderable quantity of bark, from whence he is every where in our records denominated *William le Barker*; and he, I apprehend, was the firſt anceſtor of the *Barkers*. It would be tedious here to mention all the ſurnames that have originated about Whitby; but I cannot forbear adding, that the families of the *Harwoods*, the *Dales*, and the *Langdales*, are derived from the ſeveral places that bear thoſe names; the *Moors*, from living on the edge of the moor; the *Coates*, from living at the ſheep-cotes the Monks had; the *Foreſters* or *Forſters*, from the place they held under the Abbot and Convent; as alſo the *Palfraymans*, the *Horſemans*, the *Waynemans*, the *Baileys*, the *Candelers*, the *Monkmans*, the *Saddlers*, the *Brewers*, the *Coupers*, the *Bakers*, the *Smiths*, the *Maſons*, and the *Slaters*, all of which names originated at Whitby about four hundred years ago, being ſo denominated from their ſeveral employments, though it is poſſible ſome of thoſe very names might have the like original alſo in other parts of England. Several of the names given by the Monks to thoſe employed under them ſeem, however, to have failed, and never became hereditary; as *John Parſonman*, *John Cowhird*, *John Swinehird*, *Robert Fiſhouſe*, *John Barkerman*, and others. As for the *Allatſons*, we find them ſeated in Fyling-Dales, anno 1390; but I am of opinion they then poſſeſſed no freehold there, the whole pariſh at that time belonging to the Monaſtery of Whitby. Our rolls ſay, that the Monks, in the year 1394, ſold a pig to *John Alanſon* for one ſhilling; alſo, that they bought of *John Elotſon* eight barrels of pitch for twenty ſeven ſhillings, and paid him for a rope or cord *(pro corda empta)* four ſhillings and ſixpence; likewiſe, that in the year 1396, they paid *John Allotſon* ſix ſhillings and eight pence for bringing them forty cart load of peats; two ſhillings and three pence halfpenny for cutting wood

eleven

eleven days in Fyling-Dales; two ſhillings and two pence halfpenny more for cutting wood there ten days and a half; and ten pence for carriage of wood. How far theſe articles ſhew *John Allatſon* to have been a gentleman, I leave the candid reader to judge; but muſt obſerve, that this is the earlieſt mention I any where find made of that family in our records. As to one of this *Allatſon's* fore-elders being concerned more than two hundred years before in killing a Hermit in Eſkedale chapel, as mentioned in the legend which we have inſerted in page 125 of this hiſtory, I cannot help thinking it abſolutely falſe: If ſuch an event had really happened, there muſt at one time or other have been an account thereof put in our records, from whence that legend ought to have been extracted: But no ſuch memoir is now to be met with; and it is very ſtrange that neither Dugdale, who examined our records anno 1640, nor Camden, who peruſed them about the year 1595, nor even Leland, who was commiſſioned and ſent on purpoſe to ſearch them while our Abbey was ſtanding and in all its glory, ſhould have had the good fortune to meet with this memoir, if ſuch a memoir ever really exiſted.

Our Abbey keeps continually mouldering away, and has within theſe fifty years laſt paſt gone greatly to decay; but never did it receive ſo rude a ſhock as from a ſtorm of wind which happened in the night of December 2, 1763, when the whole weſtern wing was overſet, and tumbled down to the very foundation, though ſupported by at leaſt twenty ſtrong gothic pillars and arches, nothing being left ſtanding therein but the north wall of the cloiſters, and a part of the weſt end-wall. Enough of the Abbey yet remains to make it an excellent ſea-mark; but it will not continue ſo for many ages, the whole being in ſo ruinous a condition that in another hundred years it muſt be entirely reduced to a heap of rubbiſh.

When I firſt began to write the following ſheets, it was my deſign to add thereto a map of Whitby-Strand; but I have ſo far exceeded the limits then propoſed, that I find this cannot poſſibly be done, and therefore muſt beg leave to refer the reader for what information he wants with regard to the face of the country, or ſuch places thereof as are mentioned in this hiſtory, to Jeffrey's or ſome other good map of Yorkſhire, which will be of conſiderable ſervice to him, though he muſt not in any of them expect to find all theſe bounders and antient villages mentioned in our records.

I muſt not conclude this preface without expreſſing the obligations I am under to the very ingenious and learned *Dr. Percy*, who, in the moſt friendly and polite manner, has communicated to me ſeveral particulars contained in the following hiſtory, which otherwiſe in all probability would never have come to my knowledge.

ERRATA.

Page 5, line 36, *for* and who alone it was miraculouſly preſerved him, *read* and who alone it was had ſo miraculouſly preſerved him.
P. 34, l. 21, *for* Oftſer *read* Oftſor.
P. 40, l. 15, *for* Lincolnſhire *read* Lancaſhire.
P. 51, in the 4th line of the note, put out ever.
P. 69, l. 40, *for* Overbury *read* Overby.
P. 80, l. 28, *for* William ſon of Waloon, *read* William ſon of a Waloon.
P. 97, l. 35, *for* thirty *read* fifty.
P. 107, l. 30, *for* Bibroc *read* Bilroc.
P. 161, l. 13, *for* John the Lord, *read* John Lord.
P. 164, l. 45, *for* warrant, *read* warranted.
P. 165, l. 1, *for* thereto, *read* hereto.
P. 262, l. 35, *for* II oyſtirs, *read* II^{M} oyſtirs.

DIRECTIONS *for placing the* CUTS.

The plan of Whitby to be placed fronting the title page.
The ſouth-eaſt proſpect of the Abbey to be placed at the beginning of Book II. fronting the ſaid book.
The other two cuts to be placed at the beginning of Book III. but fronting towards Book II.

HISTORY

OF

WHITBY.

BOOK I.

Containing the Hiſtory of Whitby, and Whitby Abbey, before the Conqueſt.

THE town of WHITBY, or *Whitebay*, ſo called from the colour of the waves breaking againſt the rock on the outſide of the harbour, was by no means conſiderable for any thing but its Abbey, ſituate on the eaſt ſide of the harbour, till after the year 1600. Neither Tacitus, nor any writer who has recorded the affairs of the Romans in Britain, having taken notice of any ſuch place, ſhews that it either then did not exiſt, or conſiſted at moſt of an inſignificant hamlet or two on each ſide of the river Eſke: And there having at no time been found in Whitby, or its neighbourhood, any caſtle, encampment, inſcription, coin, medal, urn, cauſeway, or other remain, ſuch as the Romans left whereſoever they came, is an inconteſtible proof that they neither had a ſtation, nor ever reſided there in any conſiderable numbers. The Romans were not well enough acquainted with the art of navigation to venture their ſhips into a river ſo inconſiderable as the Eſke is at low water: They rather choſe (after the example of Cæſar, when he firſt made his landing good in Britain) to bring the tranſports, in which the ſoldiers were, along-ſide of ſome beach, or into an open bay, where, after diſembarking the troops, they might let them ride at anchor; or, in caſe of bad weather, haul them up on dry land, out of the ſea's way. And this ſeems to have been their practice in Dunſley-Bay, about two or three miles weſtward of Whitby: For there, if tradition and the general conſent of antiquarians do not deceive us, they frequently landed their ſoldiers, and marched them up into the country, as occaſion required. And to confirm this opinion, we find Dunus Sinus, or Dunſley-Bay, mentioned by Ptolemy, the Egyptian geographer, as a landing-place they frequently uſed. Moreover, there is in

its neighbourhood a certain dale called to this day Mars-Dale, from a grove that ſeems to have been planted there, and conſecrated to the God Mars; towards the ſouthern extremity of which are yet ſome remains of an altar, where probably ſacrifices were offered, from whence we have a fine proſpect of the bay. The uncommon form in which the trees have been planted, and the great pains that has been taken to level two or three acres of ground where they grow, as well as the name of the dale, are conſiderable arguments to corroborate what is here advanced.

From Dunſley-Bay a road was made by the Romans acroſs the country, leading paſt July-Park on the confines of Goatland, into the inner parts of Yorkſhire; of which few traces are now to be diſcovered: And at or near this park, about ſeven miles from Whitby, it is ſuppoſed that Julius Brigan-ticus, mentioned by Tacitus, had his habitation, who lived in the days of the Emperor Veſpaſian, about the 70th year of the Chriſtian æra; and from whom, or ſome other Roman Julius, a ſtreet in York called Gilly-gate, or July-gate, ſeems originally to have had its name; as alſo another ſtreet at Hexham in Northumberland, which to this day is called July-gate.

But let us leave theſe uncertain times of antiquity, about which all that can be ſaid relating to Whitby is mere conjecture, and come forward to the Saxons, (who ſucceeded the Romans in Britain) whoſe annals and chronicles contain the earlieſt accounts of Whitby, and mention it as a place then firſt emerging out of obſcurity, under the name of Streanshalh.

When the Saxons had got poſſeſſion of all England, about the year 550, that part of the iſland, excluſive of Scotland and Wales, was divided into ſeven ſeparate kingdoms or monarchies, of which Northumberland was one of the moſt extenſive and powerful, ſo called from its comprehending all that part of England which lies north of the Humber, viz. Yorkſhire, Lancaſhire, Cumberland, Weſtmoreland, Durham, and Northumberland; as alſo all that part of Scotland lying on the ſouth ſide of the Firth of Forth, then called the Gulf of Bodotria. This kingdom was again ſubdivided into two leſſer kingdoms, Bernicia and Deira, between which the river Tees was the boundary; all that lay on the north ſide of that river was called Bernicia, and what lay on the ſouth ſide thereof was named Deira. Athelrick was King of the former, and Alla of the latter. This Alla dying anno 588, left a ſon named Edwin, then only three years old, and a daughter called Acca, who was afterwards married to Adelfrid the ſon of Athelrick; and Adelfrid ſucceeding his father, anno 590, during the minority of Edwin, took poſſeſſion of the whole kingdom of Northumberland; Edwin, and moſt of the principal nobility in Deira, being either made away with, or drove into exile.

In thoſe days all or moſt of the lands in Whitby-Strand belonged to the crown; and on a part of theſe lands in the neighbourhood of Whitby, which was then called Streanſhalh, we find Prince Hererick ſeated, who was deſcended of the blood royal of Northumberland; as being (whatever ſome authors have aſſerted to the contrary) ſon of Alla, the before-mentioned King of Deira, and younger brother of Edwin, but probably a poſthumous birth. This Prince, about the year 611, took to wife an amiable and virtuous Lady named

named Bereſwith, by whom he had a daughter called Hereſwith, who was afterwards married to Ethelrick, King of the Eaſt Angles, by whom ſhe became mother to a race of Kings. And Bereſwith being again with child, Hererick found it abſolutely neceſſary to quit the kingdom of Deira, on account of King Adelfrid, who ſought to deſtroy him and all the ſeed royal deſcended of Alla. He wandered about from place to place for ſome time, and at laſt took refuge in the court of Cerdic, King of the Britons; but he had not been long there before Adelfrid practiſed ſecretly with Cerdic, and found means to diſpatch him by poiſon. The venerable Bede tells us, "that while he lived in baniſhment, his lady Bereſwith, being great with child, had a viſion or dream, in which ſhe ſeemed to ſeek, but all in vain, for her huſband Hererick; and after being wearied with the ſearch, happening to pull aſide her garment, ſhe diſcovered underneath it a moſt precious jewel, which ſhe viewed very attentively; and it ſeemed to ſhine with ſuch a marvellous luſtre, that by degrees its light diffuſed itſelf throughout the whole iſland of Britain. Nor *(continues our venerable author)* was this any deception; for ſhe was ſoon after" (viz. on the 25th day of Auguſt, anno 614) "delivered of a daughter called Hilda, whoſe life was a light of example, not only to herſelf, but alſo to all that deſired to live well;" who was the ornament of her nation, and the moſt accompliſhed lady of her time for virtue, piety, ſanctity, and learning; nay, if any credit is due to the monkiſh writers of thoſe ages, who was even endowed by heaven with the ſupernatural power of working miracles; and lived in perpetual virginity, dedicating herſelf to the ſervice of her Maker, and to the promoting that religion which ſhe was perfectly well aſſured was of divine original. But of theſe things we ſhall ſay more afterwards, and for the preſent proceed to give ſome further account of affairs in Northumberland.

Edwin, ſon of Alla, and undoubted heir to the crown of Deira, wandered about many years from place to place, being in continual danger of his life, and in no condition to recover his father's dominions, till at laſt he found a retreat in the court of Redowald, King of the Eaſt Angles, where he had not long remained before Adelfrid ſent ambaſſadors, requiring Redowald either to deliver up Edwin, or to put him to death; and, in caſe he would do neither of theſe things, to declare war againſt him. This put Redowald into great perplexity; for tho' he was a Prince naturally of a generous diſpoſition, yet the dread he had of Adelfrid's great power almoſt frightened him into a compliance. Long he continued wavering in his mind, and unreſolved what courſe he ought to take; but at laſt the ſentiments of honour prevailed, and he determined to protect Edwin to the utmoſt of his power, let the conſequences be what they would: On which Redowald, that he might not be ſurprized, immediately aſſembled an army; and as he believed it would add courage to his troops if he were the aggreſſor, he marched his army into the dominions of his adverſary. This army he divided into three bodies, and gave the command of one of them to his ſon Reyner, whom he diſpatched away to ſecure a certain paſs: But he, led on by the impetuoſity of his youth, without ſtopping there, marched directly forward till he met with Adelfrid,

in a place where he could not be ſupported by the troops under his father, Redowald. He paid dear for this raſhneſs; for himſelf was ſlain on the field of battle, and his whole army intirely routed. Redowald, greatly affected with the loſs of his ſon, breathed nothing but revenge; and, both armies advancing, they joined battle near the river Idle in Nottinghamſhire, where each party was reſolved to conquer or die. Edwin particularly ſignalized himſelf, and did not a little contribute to the victory which at laſt they gained over Adelfrid, who, finding himſelf overpowered by numbers, and not willing to ſurvive the diſhonour of a defeat, ruſhed furiouſly in among the thickeſt of his enemies, and fell in the midſt of their ranks, covered with wounds; on which the Northumbrians immediately threw down their arms, and, betaking themſelves to flight, left their enemies maſters of the field. Adelfrid's three ſons, Anfrid, Oſwald, and Oſwy, finding themſelves unable to reſiſt the conqueror, fled into Scotland; and Redowald, having ſeated Edwin on the throne of Northumberland, with a generoſity peculiar to himſelf, without waiting for any reward, except the glory of the action, immediately withdrew his forces, and marched into his own kingdom; being ever after that conſidered as the monarch of the Saxon Heptarchy.

Edwin, thus all on a ſudden being made a great King, kept his court at Auldeby, near the river Derwent, about ſix miles from York, and became ſo potent, that, on the death of Redowald, anno 624, he ſucceeded to the monarchy, none but Quicelm, King of the Weſt-Saxons, daring to diſpute that honour with him, whom Edwin ſoon obliged to ſue for peace in the moſt humble manner. He was greatly beloved and reſpected by his ſubjects, and conſiderably enlarged his dominions, by reducing, under his ſubjection, the Menavian Iſlands of the Britons, viz. Angleſey and Man, lying between Ireland and Britain; the firſt, and moſt ſoutherly of which, being the largeſt in extent and moſt fertile, contained 960 families, according to the Engliſh computation; and the other more than 300.

But ſtill, notwithſtanding all his greatneſs, this Edwin continued a pagan, the glorious light of the goſpel having as yet not appeared among our Saxon anceſtors; only it had juſt begun to ſhew its dawn in the court of Ethelbert, King of Kent, by means of Bertha, daughter to Cherebert, King of Paris, who, in the year 596, was married to Ethelbert. This lady, being a chriſtian, brought over into England with her Auſtin, an Italian Abbot, and forty Benedictine Monks, ſent on purpoſe by Pope Gregory the Firſt, to convert the Engliſh nation. Auſtin and his followers laboured ſo diligently, that by degrees they brought over to the chriſtian religion, and baptized, not only Ethelbert, but alſo the whole kingdom of Kent, where they founded the cathedral church of St. Peter's at Canterbury, of which Auſtin became the firſt Archbiſhop.

Ethelbert, King of Kent, had a daughter called Ethelburga, famed over all England for her beauty, ſanctity, and extraordinary endowments, both of body and mind. Edwin, ſome time after the death of Quenburga, his firſt wife, fired with the idea of this Kentiſh Princeſs, ſent to her brother Eadbald, who then filled the throne, to demand her in marriage, about the year

year 625: But, notwithſtanding the greatneſs of Edwin, neither Ethelburga, nor the King her brother, would agree to this match, till ſhe had covenanted for the free exerciſe of her religion, and was permitted to bring along with her ſuch prieſts and chriſtian attendants as ſhe thought proper. Paulinus, one of the followers of Auſtin, was choſen for this purpoſe, and came to Northumberland in the retinue of Queen Ethelburga; who, being permitted to reſide in the court of King Edwin, uſed his utmoſt endeavours to bring over that pagan prince to the faith of Chriſt; but all his efforts were long fruitleſs and vain, Edwin alledging "that the embracing a new religion, contrary to what he had received from his forefathers, was a thing of a very ſerious nature, and ought to be maturely conſidered and well examined, before it was introduced into his dominions; ſince, if it ſuited not the inclination of his ſubjects, ſuch an innovation might be productive of much trouble and vexation, not only to himſelf, but alſo to the whole nation, and perhaps in the end would be the means of dethroning him:" Nevertheleſs he promiſed to aſſemble his council, and conſult with the chief nobility of his land about an affair that to him appeared of ſuch conſequence.

While the King was thus in ſuſpence, Quicelm, King of the Weſt-Saxons, dreading Edwin's greatneſs, and not yet ſatisfied in mind about his being elected to the monarchy in preference to himſelf, ſent a deſperate ruffian, named Eumerus, to aſſaſſinate the Northumbrian monarch; and he, by his crafty ſpeeches, gaining admittance into Edwin's court, took the opportunity one day to pull out from under his garment a ſhort two-edged ſword, with a poiſoned point, and, ſtepping forward, made a paſs therewith at the King: But Lilla, one of the King's attendants, ſeeing the danger he was in, with great dexterity thruſt himſelf in between the King and this aſſaſſin. The blow was fatal to Lilla, for the poignard went quite through his body, and alſo dangerouſly wounded the King behind him. However the alarm was now given, and the ruffian, being at laſt overpowered, was ſlain upon the ſpot; though not before he had mortally wounded another of the King's ſervants, named Fordhere.

It happened that ſame evening, being Eaſter Sunday, that the Queen was delivered of a princeſs; for joy whereof, and his own preſervation, Edwin gave thanks to his idols, but was reproved for ſo doing by Paulinus, who told him, "He ought rather to give thanks to the Lord of heaven and earth, from whom all goodneſs comes, and who alone it was miraculouſly preſerved him." Edwin, not at all diſpleaſed with this diſcourſe, anſwered Paulinus, "That he would certainly embrace the religion of Chriſt, if that God he had ſo often preached to him, and whoſe ſervant Queen Ethelburga was, would grant him victory over Quicelm, who had attempted to take away his life in ſo diſhonourable a manner." And, as a pledge hereof, he conſented that Paulinus ſhould baptize his new-born daughter; which ceremony was accordingly performed on the Whitſuntide following, and ſhe was called Eanfled, being the firſt perſon in the Northumbrian dominions who received the ſacrament of baptiſm.

Edwin,

Edwin, being now recovered of his wound, raiſed an army, and marched therewith into the dominions of Quicelm, where he either ſlew or took priſoners all thoſe that had conſpired his death; after which he returned in great triumph to Auldeby, where having convoked his council, according to his promiſe, he aſked them one by one their opinion of the chriſtian religion. Coifi, the High-Prieſt of the idols, perceiving the King's inclination, ſpoke firſt, and, like a true courtier, told him, "that he was by no means ſatisfied about the juſtice, power, and goodneſs of the gods they now worſhipped; for *(continued he)* every one here preſent knows with what zeal and devotion I have always ſerved them, and yet what have I gained thereby? There is not one man in your Majeſty's court who has not better preferment than me. My opinion therefore is, that our gods are no gods at all, ſince they take ſo little notice of their moſt devout adorers; for the future therefore let us diſcard them, and worſhip the God of the Chriſtians."

Edwin, extremely well pleaſed with this anſwer, deſired the grandee who ſat next to give his opinion; who, following the example of Coifi, was likewiſe for embracing the chriſtian religion. "For *(ſaid he)* the more we reflect on the nature of our ſoul, the leſs we know about it: It is with our ſoul as with the little bird which came in at the room window the other day while your Majeſty ſat at dinner, and immediately flew out again: When it was in the room, we knew ſomething about it; but as ſoon as it had flown away, we could neither tell whence it came, nor whither it was gone. Juſt ſo it is with our ſoul; while it animates our body, we know ſome of its properties; but when once ſeparated, we know not what becomes of it. Since then Paulinus pretends to give us clearer notions of theſe matters, let us hear him; and, diveſting ourſelves of all paſſion and prejudice, follow that which ſhall appear to us moſt conformable to right reaſon."

This ſpeech was received with univerſal applauſe; and, in general, the whole court, pleaſed with the proſpect of eternal happineſs, ſeemed deſirous of accepting the terms of ſalvation now offered them by Paulinus. Coifi, after hearing the principles of the chriſtian religion more particularly explained to him, declared aloud he could ſee no reaſon to doubt of their truth; and being armed with a ſword, a javelin, and a lance, weapons that the idol Prieſts were not permitted to uſe, he mounted on horſeback, and became the leader of a band which was ſent to demoliſh and deſtroy the great temple of their idols at Goodmanham, near Weighton, on the edge of the Yorkſhire Wolds. Having darted his javelin againſt the idol, he ordered his Prieſts to break it in pieces, and afterwards burnt both it, and the temple where it ſtood, to aſhes.

At this ſame time, viz. anno 627, King Edwin, and his niece Hilda, with all the nobility, and a great part of the commons in the kingdom of Northumberland, received the laver of baptiſm. The King was baptized by Paulinus on the 12th day of April, being Eaſter Sunday, at the city of York, in a church of timber, which was haſtily run up for that purpoſe, in the place where York Minſter now ſtands. This was the firſt church erected in the kingdom of Northumberland, wherein divine ſervice was performed by Paulinus,

linus, who named it St. Peter's, and who was, by order of the King, made Archbiſhop of that See. Edwin afterwards incloſed that church with a deep foundation of ſtones, and intended to make it a moſt magnificent and beautiful cathedral; but he never had the pleaſure to ſee it finiſhed, for that being a work of much time, was not completed till the reign of Oſwald, a conſiderable number of years after this.

Invited by the example of their Sovereign, the common people came in ſuch prodigious crouds to be inſtructed in the chriſtian religion, and receive the laver of baptiſm from Paulinus, that Bede tells us 10,000 were baptized in one day, in the river Swale; the river having firſt been conſecrated by Paulinus, and the new converts then going in by two and two, and baptizing each other in the name of the Holy Trinity.

Edwin, after this, enacted ſeveral wholeſome laws, and had juſtice ſo exactly adminiſtered throughout his dominions, that ſome credible hiſtorians of that age ſay, a child might have gone through all Northumberland, with a purſe of gold in his hand, without any danger of being robbed. He alſo, for the benefit of travellers, incloſed ſeveral noted ſprings that were near the highways, and ordered baſons of braſs of different ſizes to be placed there; ſome of which were for paſſengers to drink out of, and others for them to waſh and bathe themſelves in; nor was any one found ſo hardy as either to deface or carry away theſe veſſels thus placed by the King's command for publick uſe.

But his chief care was the building of churches, and raiſing public edifices for the Service of Almighty God, that his ſubjects might be more particularly inſtructed in what concerned their eternal ſalvation. For this end, during all the remaining part of his reign, he kept a great number of workmen daily employed in building and compleating the cathedral of St. Peter's at York: And, as a great quantity of crown land lay about Streanſhalh, he judged it neceſſary to found a church there, about the year 630; which, at the requeſt of Paulinus, was alſo dedicated to St. Peter. And indeed all or moſt of the churches that were built by Auſtin and his followers, were conſecrated to that Apoſtle, as the great patron and founder of the church of Rome, by whoſe Biſhop they had been ſent to convert the Engliſh nation.

As for Streanſhalh, Bede expreſsly tells us, that it was ſo called from a watch-tower, or light-houſe, which ſtood there; but neither he, nor Malmeſbury, nor any hiſtorian that I have ever met with, make any mention of ſuch a place before the days of this King Edwin; tho' it is hardly to be doubted but a watch-tower had ſtood there for ſeveral ages before his reign, and was firſt erected on the cliff, on the eaſtern ſide of the harbour, in the earlieſt times of the Saxons, after their arrival in Britain, viz. about the year 452; as I ſhall here endeavour to ſhew, by proving the neceſſity the Saxons were then under of having ſuch a watch-tower.

No ſooner had that people left Germany, in the year 449, under the leading of Hengiſt and Horſa, the ſons of Witigiſil, but, finding this iſland to be fertile, they immediately formed the project of taking poſſeſſion thereof for themſelves. Soon after their arrival, advancing to the northward againſt the

the Scots, Picts, and other Barbarians, who had penetrated a conſiderable way into Lincolnſhire, they eaſily defeated them; and while Hengiſt was employed in building Thong-Caſtle, near Grimeſby, in that county, he ſent for new ſupplies of his countrymen, who arrived next year, having along with them Eſke and Rowena, eldeſt ſon and niece of Hengiſt; on which he detached a great number of his troops over the Humber, entirely to clear the country, and drive away ſuch Barbarians as yet remained there. After this, ſending again to Germany for a ſtill greater number of recruits, in the year 452 there arrived upon the Britiſh coaſt, his brother Octa, his nephew Ebuſa, and a great army of Saxons, in forty large tranſports. Theſe ſailing to the moſt northerly parts of Scotland, in order to diſcover the extent of our iſland, plundered the Orkneys; and then returning to the ſouthward, landed in the Firth of Forth, near Muſſelbrough, whence they drove away the Picts that had poſſeſſion of that province, and obliged them to retire, not only farther weſt, but alſo farther north. Then, ſeating themſelves in that country, they extended their conqueſts over the Britons to the ſouthward, while the troops of Hengiſt advanced to the northward, till between them they became maſters of all the ſea-coaſt, and alſo of the country for a conſiderable way behind it, from the Firth of Forth to the Humber, where Thong-Caſtle was the barrier of theſe their new-acquired dominions.

As the number of the Saxons that had yet arrived was very inconſiderable when compared with the natives, or old inhabitants, who lived in thoſe provinces, it was natural for them to dread inſurrrections, and to endeavour, as far as in them lay, to contrive ways and means, whereby they might retain that ſuperiority they had now gained. But this was not to be done, if they lived diſperſed and ſeparated all over the country; they were to form colonies and bands in particular places, within a ſmall circumference, where they might, by ſignals made for that purpoſe, be ſpeedily called together, and, in a little time, collect an army in their own defence, ſufficient either to defend them againſt the Britiſh natives, or to repulſe the more rude and ſavage Caledonians of the north: Their ſea-ports were to be properly ſecured; and above all things it was neceſſary that their frontiers, adjoining to Bodotria and the Humber, ſhould be well guarded, particularly the latter; their whole dependence, in caſe any calamity befel them, being on Hengiſt, and their friends in Kent, with whom it was abſolutely neceſſary they ſhould keep a communication open by ſea, as they could have none by land.

What wonder then if theſe new comers, while thus expoſed to danger, and as yet not properly ſecured in their poſſeſſions, ſhould think of eſtabliſhing a colony, and erecting a watch-tower at Streanſhalh, (which was the firſt ſafe harbour they poſſeſſed to the northward of the Humber) whence they might not only ſpread the alarm all round, and collect their forces, if an enemy either threatened them by ſea, or came to annoy them by land; but alſo, as occaſion required, make ſignals, and afterwards ſend off pilots to ſuch friendly veſſels as approached them by ſea, whether from Kent or Germany. For this purpoſe Streanſhalh was a place contrived, as it were, by nature; a light by night, or a large flag by day, being eaſy to be diſcovered, not only

at

at ſea, but alſo over almoſt all the country for many miles round by land. From all which I conclude, that the name of Whitby, then being Streanſhalh, proves this tower not to have been earlier than the times of the Saxons arrival in Britain, ſince Bede aſſures us, in the 25th chapter of the 3d book of his Eccleſiaſtical Hiſtory, that Streanſhalh is a Saxon word; and the neceſſity there was for ſuch a light-houſe, or watch-tower, ſhews it to have been erected very ſoon after they got footing in Northumberland.

As for the river Eſke, it ſeems no eaſy matter for us now to determine whence it gained that name, which is at leaſt as antient as the building of the watch-tower, and probably much older. Eſke, the favourite ſon of Hengiſt, long reſided in Northumberland, from whom all the ſucceeding Kings of Kent after him were called Eſkingians; and ſome are of opinion, that not only our river Eſke, but alſo all others of the ſame name in England, were ſo denominated from him: While others will have the name to be of greater antiquity, and ſuppoſe it to be the Iſca or Æſica of the Romans, who gave it that name on account of the force or rapidity of its current: And laſtly, there are not wanting thoſe who aſſert that Eſke, like the Thames, or the Tyne, is the name our river had among the original natives, whoſe derivation is to be ſought from ſome antient Britiſh or Celtic word, by us, at preſent, but little underſtood. Among this variety of opinions, the reader will pleaſe to judge and determine for himſelf as he thinks proper, and permit us again to return to Edwin, whoſe reign began now to draw towards a period, and whoſe greatneſs was to end all on a ſudden, while yet in its full meridian of glory.

Penda, the Pagan King of Mercia, filled with envy at the power of Edwin, and thinking it diſhonourable that he ſhould owe any ſubjection to that Prince, entered into a league with Cadwallo, King of the Britons, who conſidered himſelf as the lawful Sovereign of all England, and every Saxon Prince that now reigned therein as an Uſurper. Theſe two Kings, reſolving no longer to pay tribute to the Northumbrian monarch, made all the preparations they could to ſhake off his yoke. Edwin alſo, no ſtranger to their deſigns, levied an army, and marched forward to meet the confederate Kings, who were now advanced as far as Heathfield, or Hatfield, a Town ſituate a conſiderable way within his dominions. Here both armies joined battle with the utmoſt fury, on the 4th day of October, anno 633, where Edwin's courage and conduct was a balance for the ſuperiority of numbers in the army of the confederates, and victory ſeemed now to incline to the ſide of the Northumbrians, when an arrow, from the enemy's hoſt, pierced through the heart of Offrid, eldeſt ſon of Edwin, who was bravely fighting by his father's ſide, and inſtantly killed him on the ſpot. Edwin's coolneſs and conduct now forſook him; he was filled with rage at this accident, and, without regarding whether his ſoldiers followed him or not, ruſhed in among the thickeſt of his enemies, by whom he was run through in many places, and, with his life, loſt alſo the victory; for the Northumbrians, on the diſappearance of their King, being diſmayed, ſoon fell into diſorder, and, leaving the field of battle, endeavoured to ſave themſelves by flight.

Thus died Edwin, in the 48th year of his age, the 16th of his reign, and 9th of his monarchy. His body was conveyed to Streanſhalh, and there buried, on the 12th day of October, in the church of St. Peter's, founded by him at that place about three years before: "But his head, *(as we are told by Bede)* was brought to York, and afterwards into the church of St. Peter the Apoſtle, begun by him, but finiſhed by his ſucceſſor, Oſwald; where it was depoſited in the porch of St. Gregory, the Pope, from whoſe diſciples Edwin had received the word of life." By his firſt wife Queenburga he left a ſon called Edfrid, who was, ſoon after the death of his father, murdered by Penda, the victorious King of Mercia, to whom he had ſurrendered himſelf, to avoid the more than pagan fury of Cadwallo, King of the Britons. By his ſecond wife, Ethelburga, he had iſſue, two ſons and a daughter, who all died in their infancy; as alſo another daughter, Eanfleda, who was afterwards married to Oſwy, King of Northumberland. After the death of her huſband, Queen Ethelburga, and Paulinus, Archbiſhop of York, to avoid the fury of the two victorious Kings, fled into Kent, where Paulinus was ſoon after made Biſhop of Rocheſter; and Ethelburga, renouncing the world, by the liberality of her brother, King Eadbald, was enabled to found the monaſtery or nunnery of Limming, in which ſhe ſpent the remainder of her days, and was, at her death, buried therein.

After the death of Edwin, the confederate Kings over-ran all Northumberland, which they ravaged in a moſt miſerable manner, ſpreading deſolation all around them, and burning and deſtroying whatever came in their way, ſo that the whole kingdom appeared like a wilderneſs. Paulinus having retired into Kent, and the common people being now left without paſtors or teachers, moſt of them, having but very imperfect notions of chriſtianity, relapſed into their former idolatry. Being at laſt wearied out with the bloodſhed and ſlaughter made among them by the two tyrant Kings, they reſolved upon chooſing themſelves a leader, and once more determined by force of arms to vindicate their former liberty: But, there being a diviſion about that choice, the men of Deira elected for their chief, Oſric, a relation of Edwin's; while the inhabitants of Bernicia called home for their commander, Anfrid, the ſon of Adelfrid, who had fled into Scotland on Edwin's acceſſion to the throne of Northumberland. Theſe two Princes, the more to ingratiate themſelves with their new ſubjects, both renounced the chriſtian religion, and then levying forces, prepared to make head againſt their enemies. Oſric, in particular, finding himſelf at the head of a very conſiderable army, began to act offenſively; and having gained ſome advantage over the Britiſh King Cadwallo, obliged him, with his men, to take refuge in the city of York, which Oſric intending to beſiege, it rouſed the indignation of Cadwallo, who, diſdaining to be thus braved, made a ſally out of the city, and fell upon the young King, and his raw undiſciplined hoſt, with ſuch fury, that his whole army was entirely routed, and Oſric himſelf ſlain upon the ſpot. After which, Cadwallo marched northward againſt Anfrid, whom at firſt he amuſed with offers of peace; but finding a proper opportunity of fighting him at an advantage, he attacked him with ſuch impetuoſity, that, after making a great

ſlaughter

ſlaughter of his army, he killed him alſo on the field of battle; being thus the ſcourge of heaven to take vengeance, and ſhower down its wrath, on theſe two apoſtate Kings, and their wretched ſubjects, who had dared to ſet at nought, and trample upon, the laws of their bleſſed Redeemer.

Northumberland was now in a more miſerable ſituation than ever, chriſtianity being well nigh routed out of the land, and all the nation lying at the mercy of a conqueror, from the cruelty of whoſe diſpoſition they had every thing to fear. Wherefore Oſwald, brother to Anfrid, and ſon of Adelfrid, was immediately ſent for into Scotland by the Bernicians, to come and make head againſt Cadwallo the uſurper; Penda, King of Mercia, having withdrawn moſt of his forces, and retired into his own kingdom. Oſwald, deeply affected with the miſeries of his country, haſtened to its relief, and, inſpired with a noble reſolution either to conquer or die, uſed his utmoſt diligence to aſſemble an army, with which he might oppoſe the uſurper: but Cadwallo allowed him little time to augment his forces, being reſolved to cruſh him before he became formidable: He marched againſt him as an enemy not yet conſiderable, and made no doubt of ſucceſs. Oſwald, being informed of his approach, entrenched himſelf on the top of a ſteep hill, in an advantageous ſituation, near a little river then called Deniſeſburne, but now Erring, which runs cloſe by the ſkirts of Halidon, or Haliton, hills, all along the north ſide thereof. Here he reſolved to wait for his enemy; and as he had been firmly grounded, while in Scotland, in the principles of the chriſtian religion, he placed his confidence more in heaven than in the few troops that ſurrounded him. He ordered a croſs to be erected before his camp; and, falling down on his knees, with his whole army, humbly implored the bleſſing of heaven on his arms. Not daring to fight the Britiſh King in the plain field, he kept his men for the firſt day within their entrenchments, on the top of the hill; while Cadwallo, full of confidence in the ſuperiority of his numbers, next day marched up the hill, in order to diſlodge him. For the greater encouragement of his ſoldiers he marched in the front of his army, and was himſelf one of the foremoſt that began the attack. Here, as he endeavoured to force a paſſage into the camp of Oſwald, he was pierced through the body with an arrow, and fell down dead upon the ſpot. His fall diſmayed the Britiſh army, which by degrees fell into diſorder, and began to retreat down the hill again; when the Northumbrians, leaping out of their entrenchments, attacked them ſword in hand with ſo much vigour, that they gained a complete victory, and made a great ſlaughter of their enemies.

The venerable Bede ſays, "The place where that battle was fought is near the wall with which the Romans formerly divided our iſland from ſea to ſea, to reſtrain the fury of the barbarous nations; and that the protection of heaven was there ſo manifeſt on Oſwald's behalf, that it was for many years after that called Heofonfeld, or Heaven-Field; to which, after the eſtabliſhment of chriſtianity, the brothers of the church of Hagulſtad, *(or Hexham)* which is not far from thence, reſorted yearly, on the day before that on which the ſame King Oſwald was afterwards ſlain, in order to watch there for the health of his ſoul, and to offer for him in the morning the ſacrifice of the holy oblation;

which good cuſtom increaſing, they afterwards" *(viz. about the year 700)* " built and conſecrated a church there, making that a more ſacred and a more honourable place; and this not without reaſon, for it appears there was no ſign of the chriſtian faith, no church, or no altar erected throughout all the nation of the Bernicians, before that new commander of the army, prompted thereto by the devotion of his faith, ſet up that ſame croſs, as he was going to give battle to his moſt barbarous enemy."

This church, or chapel, having gone to decay, and being grown entirely ruinous, was in theſe our days, about the year 1735, new built; ſtill retaining its old name of St. Oſwald's, and the inhabitants all around, by tradition, ſtill recounting the hiſtory of its foundation, nearly in the ſame manner as is above related; only ſome of our hiſtorians and antiquarians, not acquainted with Northumberland, and entirely ſtrangers to the ſituation of Haliton hills, have ſuppoſed Deniſeſburne, mentioned by Bede, to be the Devil's-Water, which paſſes by Dilſtone, and runs into the Tyne on the ſouth ſide thereof, between Corbridge and Hexham, without ever coming near thoſe hills, or being within at leaſt four miles of the place where this field of battle lay. On the contrary, the little river Erring is the only river to be met with near Haliton hills, running all along cloſe to the edge of the hill, and is not more than a mile from the church or chapel built to the memory of Oſwald, on that plat of ground where he erected the croſs; whoſe vicinity to Severus's Wall, and diſtance from Hexham, ſo exactly correſpond with the account we have inſerted from Bede, that there is not the leaſt room to doubt of its being the very place where that battle was fought, by which the Northumbrians were delivered from the ſavage cruelty and oppreſſion of their tyrannizing enemies.

The Monkiſh writers of theſe times attribute this victory in a great meaſure to the croſs that Oſwald erected before his camp. Bede tells us many miraculous cures were performed, not only by the wood itſelf, but alſo by the moſs and ground wherein it ſtood; nay, ſome of the Roman Catholics, even in theſe our days, are ſtill weak enough to believe in the reality of thoſe miracles. At preſent we ſhall not ſpend our time in endeavouring to diſprove this article of their faith, but proceed to give an account of the life and reign of Oſwald; who, being thus mounted on the throne of his forefathers, anno 634, made it his firſt care to reſtore chriſtianity, which, during theſe troubleſome times, had been almoſt entirely routed out of Northumberland. A Deacon, called James, had indeed been left at York by Paulinus when he retired into Kent; but he, whether unequal to the taſk, or intimidated by theſe troubles that then prevailed all over the nation, had not been able to ſtop the growth of infidelity, or to hinder the apoſtacy of the Northumbrians. The little dawn of light which the goſpel of Chriſt had made among them was now overſpread with clouds of darkneſs, while ignorance and barbarity, which are the conſtant attendants of idolatry, again reſumed their place.

Oſwald, to remedy thoſe evils, ſent into Scotland to the monaſtery of Jona, or Kolmkill, where he himſelf had been educated, deſiring that ſome perſon, eminent for piety and learning, might be ſent to inſtruct his ſubjects in the chriſtian religion; on which a Monk, called Corman, was diſpatched thither; but

but he, on account of his rugged diſpoſition, making no progreſs in the converſion of the Northumbrians, was diſguſted with his miſſion, and returned again to the monaſtery of Jona. After this, another Monk, called Aidan, was, in a full aſſemby of the Monks, unanimouſly declared to be the propereſt perſon among them to be ſent in his ſtead: And he, conſenting to take the charge upon him, was immediately conſecrated Biſhop, and ſent away for Northumberland; where the holineſs of his life, his devout prayers, and fervent charity, firſt introduced him into the good graces of Oſwald, and afterwards ſo much charmed the very heathens, that it allured them to the faith of Chriſt. As he was entirely a ſtranger to the Engliſh language, at his firſt coming into Northumberland, when he preached he was obliged to uſe his own dialect, which could not be underſtood by the multitude: But the King, to remedy this inconvenience, being perfectly well acquainted with the Scotch (or rather Iriſh) language, became himſelf interpreter to Aidan, and thought it not below the dignity of royal Majeſty to inſtruct the meaneſt of his ſubjects in the great truths of the chriſtian religion. Thus the goſpel of Chriſt once more gained ground, while ignorance and ſuperſtition fled far away from Northumberland, to take up their reſidence and abode in ſome leſs happy clime.

It may now be ſuppoſed Paulinus had a proper opportunity for returning from Rocheſter to his See at York, where he had formerly been conſtituted Biſhop by King Edwin; but no ſuch thing was ever ſo much as once attempted; for Paulinus, obſerving the Romiſh manner of keeping Eaſter, according to the decrees of the council of Nice, varied conſiderably from the times in which it was kept by Oſwald and his ſubjects, who, following Aidan and the Monks of Jona, obſerved it according to the manner of the Eaſtern or Greek church; and alledged in their behalf for ſo doing the authority of St. John, the beloved Apoſtle. Each party adhered ſo ſcrupulouſly to the manner in which they had been inſtructed, that they looked upon the obſervation of Eaſter, on the particular time when they kept it, as eſſentially neceſſary to ſalvation, and branded thoſe with the name of Heretics, whoſe practice differed from theirs. We are not to wonder then at Paulinus being paſſed by, while Aidan was the ſole director of ſpiritual affairs in Northumberland. He, on account of its vicinity to Scotland, and its retired ſituation, pitched on Lindisfarne for the particular place of his reſidence, where, in imitation of his brethren at Jona, he inſtituted a monaſtery, which was intended by him as a ſeminary, whence the church on all emergencies might be ſupplied with pious and able teachers, and which was, for ſeveral ages after, ſo famous, that it was known throughout all the chriſtian world.

Not that he always confined himſelf to this lonely iſland, tho' that was moſt agreeable to him, on account of the opportunities he then had for meditation and prayer: But he did not believe the functions of his office were regularly diſcharged, without often travelling all over the country, and more particularly inſtructing the ignorant in the ſeveral articles of our holy religion. Moreover, the King frequently demanded his attendance at court, where he was regarded by all as their ſpiritual father, and where, without attracting the

the envy of the nobility, he was always received with reverence and eſteem. During theſe viſits, we find him mentioned ſeveral times by Bede at the King's royal palaces, particularly at one he had near Newcaſtle, "Which was called *At the Wall*, becauſe it was cloſe by that wall with which the Romans formerly divided the iſland of Britain, being twelve miles diſtant from the Eaſtern ſea." This palace, ſome time after the death of Aidan, out of veneration for the memory of that good man, and on account of his having frequently reſided there while alive, got the name of Aidan; and it is in theſe our days ſtill corruptly called Heddon, and ſometimes Heddon on the Wall, where ſome remains of a palace are yet to be ſeen, being about five or ſix Miles to the weſtward of Newcaſtle.

All authors are agreed in giving the higheſt commendations to this holy and devout prelate; even his very enemies ſay, that he ſpent moſt of his time in prayer, and in inſtructing the ignorant; being a compleat pattern of meekneſs, humility, ſelf-denial, and every other chriſtian virtue. Charmed with his character, Lady Hilda became his diſciple, and, by long copying after his example, made ſo eminent a figure in the church, that after her death ſhe was honoured with the title of Saint: For tho' ſhe had been converted and baptized by Paulinus, yet ſhe ſeems to have been but little acquainted with the duties of the chriſtian religion before Aidan's arrival in England; and to the influence of his doctrine it was owing that, at the ſynod of Streanſhalh, held in the ſucceeding reign, ſhe was enabled to make ſo noble a ſtand againſt the church of Rome, about the obſervance of Eaſter; where tho' ſhe loſt her cauſe, by being out-voted, yet that did not leſſen her eſteem for the memory of a man whom ſhe, and the whole church of Northumberland, had ſo much reaſon to revere. Bede, who lived nearly at the ſame time, but was of the Romiſh party, gives Aidan the greateſt and beſt of characters for integrity and holineſs of life. Nay, not only he, but alſo all the Monkiſh writers of that age, allow him to have been endued with the ſupernatural power of working miracles; one of which is ſo ſingular, that I cannot help taking notice of it here.

King Oſwald being much addicted to liberality, had a particular pleaſure in performing acts of charity to the poor and indigent; nor was ever any feſtival held at court, but he relieved the diſtreſs of ſuch as applied to him. On one of theſe ſolemn days, finding a great number of poor people aſſembled about his palace-gates, he ordered them to be plentifully ſupplied with meat and drink from his own table, and, after all were ſatisfied, a large ſilver charger, in which the victuals had been carried out, to be broken, and divided among them. Aidan, who was one of his gueſts, ſeeing this bounteous diſpoſition of the King, greatly rejoiced thereat; and taking him by the right hand, prayed that that hand might never corrupt or rot, which (ſay the Monkiſh writers of that age) came accordingly to paſs; for Bede tells us, "That he ſaw it, more than ſeventy years after, whole and intire, in the church of St. Peter's, at Bebba, *(now Bambrough)* where many miracles were performed by it, and where it was then honoured as the choice relic of a moſt holy ſaint."

I mention not this Monkiſh miracle as tho' we were to give implicit credit to all the miracles that are recorded by the writers of thoſe ages, moſt of which there is a great deal of reaſon to believe are fabulous; but it helps to ſhew us in what great veneration Aidan was held by the wiſer and better part of mankind, even while alive. What reſpect the vulgar paid to his memory ſufficiently appears, not only from the palace of King Oſwald, which we have already mentioned, but alſo from ſeveral other places in Northumberland that to this day retain the name of Aidan, which there is little room to doubt were ſo denominated out of reverence to this holy and humble man, notwithſtanding what Camden ſeems to alledge to the contrary, who believes them to be Britiſh names given to places where there were Roman garriſons. For it is certain that never could be the caſe with this Aidan, or Heddon on the Wall, ſince there were then no Britons in Northumberland when it firſt received that name: Nor is there much more probability that theſe other places were by the natives called Aidans in the time of the Romans; ſince the Romans were the ſame formerly in Britain, that the Engliſh and Spaniards are now in America. In that part of the world, we ſometimes deign to adopt the Indian name of a town, a river, or a mountain; and thus did the Romans heretofore in Britain: But when we come to form a ſettlement, or fix a plantation there, we do not then apply to the ſavages to give particular names to the different parts thereof; but call them as we think proper, and the very Indians give them the ſame names: So alſo the Romans, here in Britain, when they made an encampment, built a new town, or raiſed any fortification, without applying to the Britons, gave them particular names, as they pleaſed, which the natives all around never failed to adopt; and theſe very names, with little alteration, moſt of them ſtill retain; of which, if neceſſary, an endleſs number of examples might be produced, as Rocheſter, Wincheſter, Dorcheſter, Leiceſter, Exeter, Manchеſter, Lancaſter, Ebcheſter, Cirenceſter, Cheſter-le-ſtreet, and a thouſand others.

Nor can I allow Camden's argument to be any ways more concluſive for his telling us, that all, or moſt, of theſe places are on, or very near, the wall which the Romans built acroſs our iſland, ſince the direct contrary will appear to any one who knows the country: For, if we except the before-mentioned palace of King Oſwald, we find none of them very near the wall. Aidan Caſtle, about four miles to the north-eaſt of Hexham, is the neareſt in ſituation thereto of any I ever knew, or could meet with; and that is not leſs than two miles from this wall. The village of Aidan, where there is a bridge over the Tyne, about ſix miles weſt of Hexham, is more than three miles from the ſaid wall; and all other Aidans are ſtill at a greater diſtance from it; one of which I ſhall only mention here, and that is Aidanburgh, or Edinburgh, now the metropolis of Scotland, but, in the reign of Oſwald, a barrier town in the kingdom of Northumberland, which (as we obſerved before) for many ages extended to Bodotria, or the Firth of Forth. It is true we find a place there, or in the neighbourhood thereof, in the times of the Romans, called Στρατόπεδον πτερωτὸν, or the Winged Camp, by Ptolemy the Egyptian geographer; but there remain now no veſtiges, or certain traces, of any ſuch place; and

and the termination *burgh* proves beyond all diſpute the preſent city of Edinburgh to be of Saxon original: Nor can any authority be produced to ſhew that it was known by that name, or even exiſted, before the reign of Oſwald; who either firſt built it, or elſe named it anew after his pious favourite, Biſhop Aidan. Finally, I am clearly of opinion, whatever Camden or any of our antiquaries have alledged to the contrary, that not only this city, but alſo all, or moſt of theſe places, had their names from this heavenly and apoſtolic preacher, who revived (I had almoſt ſaid, firſt ſpread) the goſpel of Chriſt in the kingdom of Northumberland, and who departed this life in the year 652, univerſally lamented, not only by the whole Northumbrian nation, but likewiſe by all orders of chriſtians throughout the iſland of Great Britain.

But it is time for us to return again to Oſwald, who is ſaid to have been the moſt knowing, as well as the moſt pious Prince of his age. His ſtrict virtue, great humility, and conſtant zeal for the chriſtian religion, ſo much endeared him to his ſubjects, that he was regarded and reverenced by them as a ſaint after his death. He had the happineſs to deliver his country from the tyranny and oppreſſion of Cadwallo, to unite both the kingdoms of Northumberland under his dominion, and alſo to be elected Monarch of the Saxon Heptarchy. During his reign, the whole iſland flouriſhed both in peace and plenty; and Bede ſays, "That all the nations of Britain, viz. Britons, Picts, Scots, and Engliſh, acknowledged his ſubjection, and paid him a willing obedience: But yet, tho' advanced to ſuch royal majeſty, he continued nevertheleſs meek and lowly to all, ever liberal to the poor, and bountiful to ſtrangers." He firſt introduced Monks and Nuns into his dominions, and founded ſeveral monaſteries, which he endowed with conſiderable revenues, that holy men might there live a recluſe life, having their minds employed about heavenly things alone, and in the training up the youth of both ſexes in ſuch manner that they might be ſhining examples of every chriſtian virtue. A nobly-intended plan, moſt ſurely, for the promoting religion, if it had been properly executed, and if holy and devout men only had reſorted there for the ſervice of their Maker: But, whatever they might be when firſt inſtituted, almoſt all theſe monaſteries and convents degenerated in future ages, and became receptacles and retreats for wickedneſs and immorality; where indeed a ſhew of religion was preſerved, but in reality luſt and avarice, luxury and pride, and almoſt every other vice did ſecretly dwell; ſo that, becoming the peſts of human ſociety, it was found abſolutely neceſſary, in ſeveral chriſtian nations, entirely to aboliſh them; and in their room univerſities have been appointed, by many ſovereign Princes in Europe, where great regard is had to morality as well as principles, and where maſters and profeſſors are ſelected on purpoſe to train up a ſet of men for the miniſtry of the goſpel, and to inſtil into their minds, while young, the moſt pure and refined ſentiments about virtue and the chriſtian religion.

Oſwald, ſoon after being ſeated on the throne, finding himſelf in profound peace, and that he had neither adverſary nor evil occurrent to cope with, ſet about building and compleating the cathedral church of St. Peter's at York, begun by his predeceſſor Edwin, in the Gothic form of architecture; and therein

therein he laboured ſo ſucceſsfully and diligently, that, in the year 640, it was finiſhed in ſo ſuperb and grand a manner, that it appeared by far the moſt magnificent and ſtately fabric in Great Britain; and, for ſymmetry and beauty, might vie with any thing of the kind then to be found in the known world. Since theſe days it has undergone ſeveral alterations, yet the main body of it remains ſtill the ſame, and is a laſting monument of the greatneſs, power, and wealth of Oſwald; having ſtood ſeveral centuries longer than the famous temple at Jeruſalem, built by King Solomon, of which we have ſo particular an account in holy writ. But Oſwald ſtopped not here; he erected alſo many other churches and places for the public worſhip of Almighty God in ſeveral other parts of his dominions; ſo that, with the utmoſt propriety, he might be termed the father of his people, as he ſhewed himſelf ſo greatly ſolicitous, not only for their preſent welfare, but alſo for their eternal happineſs.

About the year 640, an Iriſh Lady, called Heru, then reſident in the kingdom of Northumberland, took the veil, and was made a Nun by Biſhop Aidan; on which, retiring into a monaſtery at Wearmouth, ſhe continued there ſome time; and afterwards, being aſſiſted by Boſa, a Bernician nobleman of the blood royal, (being the ſon of Blackmor, the ſon of Ailrick, the ſon of Ida, the firſt Saxon King of Northumberland) they between them founded a Nunnery at Hartlepool, of which Heru became Abbeſs, and continued there till the year 648, as will further appear afterwards. This I mention becauſe Heru was the firſt Nun, and Hartlepool the firſt Nunnery, in the kingdom of Northumberland.

Oſwald continued to reign, beloved and happy, till the year 642, when Penda, the martial King of Mercia, envious of his greatneſs and glory, and but ill diſpoſed to brook a ſuperior, began ſecretly to ſtir up war againſt him, and at laſt levied a great hoſt, with which he marched to ſurprize him: But Oſwald, being advertiſed of his proceedings, made haſte to aſſemble an army, with which he might oppoſe him: His troops were not yet numerous, when he marched to meet Penda, and raſhly gave him battle, on the 4th day of Auguſt, at a place then called Maſerfield, in Shropſhire; where, after much bloodſhed on both ſides, the army of Oſwald was finally routed, and himſelf ſlain upon the ſpot; whoſe dead body, being afterwards found, was mangled and cut in pieces, in a moſt ſavage and cruel manner, by Penda; and theſe pieces, being fixed on ſtakes, were erected, as ſo many trophies, on the field of battle, which ever after to this day, in memorial thereof, has been called Oſwaldſtree. His remains were afterwards taken down, and buried in the monaſtery of Bradney, in Lincolnſhire, where a ſhrine of purple and gold was raiſed over his tomb in a ſucceeding reign, by his niece Queen Offrid, daughter to his brother Oſwy, and wife to Ethelred, King of Mercia; whence his bones, as ſome authors ſay, were afterwards removed to Glouceſter, and there buried on the north ſide of the upper end of the choir, in the cathedral church, under a fair monument; while other authors of good authority affirm they were tranſlated to Durham Abbey.

Oſwald, by his Queen Kineburg, daughter to Kingils, King of the Weſt

Saxons, left behind him a ſon called Adelwalt, born anno 637, who, in the reign of his uncle Oſwy, poſſeſſed himſelf of that part of Northumberland called Deira, but never made any conſiderable figure; and, after a ſhort reign, dying without iſſue, left Oſwy in poſſeſſion of the whole.

Penda, after his victory, ravaged Northumberland with fire and ſword; he even proceeded as far north as Bambrough, to which he laid ſiege; and its fortifications being chiefly of wood, he made his approaches thereto on the weſt ſide, and then, having the wind at weſt, ſet fire to them: But hardly was the fire kindled, before the wind veered about to the eaſt, and blew the flame directly into his camp, which did him ſo much damage, that he found it neceſſary to quit the ſiege and march to the ſouthward; when the Bernicians, gaining a little reſpite, immediately placed Oſwy, the brother of their deceaſed monarch, on the throne: But the inhabitants of Deira, not acquieſcing in this choice, elected for their King, Oſwin, ſon of Oſric the apoſtate.

Theſe two Kings preſerved a mutual friendſhip for each other ſo long as they had any dread of another invaſion from Penda; but no ſooner were theſe apprehenſions vaniſhed, than Oſwy, thinking himſelf unjuſtly dealt with, becauſe not poſſeſſed of the whole, endeavoured to pick a quarrel with Oſwin, who had the character of a mild and peaceable Prince, more devout than brave, and who, rather than ſhed the blood of his ſubjects, privately withdrew from his army to a certain Earl's houſe called Hunwald, reſolving to abdicate the crown, and to retire into ſome monaſtery: But, before he could put his deſigns in execution, Hunwald betrayed his retreat, and delivered him into the hands of Oſwy, who, in a moſt inhuman manner, ordered him to be ſlain upon the ſpot, that he might henceforth have no competitor to dread about any part of the kingdom of Northumberland. It is true he was afterwards touched with remorſe for this barbarous action; and, to atone for his offence, founded a monaſtery on that very place where the murder had been committed, at Ingethlingum, afterwards called Yeding Priory, near Richmond, in Yorkſhire. That, however, did not hinder the people of Deira from raiſing to the throne Adelwalt, the ſon of King Oſwald, whom, tho' not above ſixteen years old, they now regarded as their lawful ſovereign. This again rouſed the jealouſy of Oſwy, who would by no means quit his claim to Deira; and Adelwalt, the better to ſupport himſelf againſt the power and authority of his uncle, entered into a league, firſt with Penda, the victorious King of Mercia, and afterwards with Athelrick, King of the Eaſt Angles. Bede ſays, "That Penda, the Mercian, tho' then ſeventy eight years of age, was the author of this triple alliance;" which gave great uneaſineſs to Oſwy, as he could not think himſelf able to cope with the power of three ſuch potent Princes. To avert the ſtorm, he tried, but all in vain, to bribe the King of Mercia, and offered him a great ſum of money to grant him and his Bernician ſubjects peace: His offer only made this inveterate enemy of the Northumbrians more eager to carry his projects into execution. Each of the three Kings levied a great army; which being all joined together, and headed by thirty commanders, they marched northward to dethrone and diſtreſs

diſtreſs Oſwy; who, finding the match unequal, and himſelf reduced to great ſtraits, began to humble himſelf, and make earneſt ſupplication to the Lord of Hoſts, to grant him protection and aſſiſtance againſt his enemies; ſolemnly vowing, "That if he came home victorious, he would conſecrate his young daughter Elfleda, then only a year old, to perpetual virginity; and would moreover build a monaſtery, *(or nunnery)* which ſhould by him be endowed with twelve farms, *(manors or lordſhips)* and all the land belonging to them, for its maintenance and ſupport." After making this vow, Oſwy and his ſon Alfred levied what forces they could; (his other ſon Egfrid being then an hoſtage at the court of Queen Cinveſe, in the province of the Mercians) with theſe they marched forward to give the confederate Kings battle, who had more than thrice their number of troops, all well appointed and veteran ſoldiers. But the battle is not always to him that is ſtrongeſt, nor the race to him that is ſwifteſt; ſince the events of things depend upon unforeſeen accidents, and the hand of Providence has ways, unfathomable by us, not only to defeat the ſchemes of the mighty, but alſo to order and diſpoſe of the fate of nations.

Adelwalt, dreading the defeat and deſtruction of his uncle Oſwy might draw all the forces of the confederates into his dominions, from whom his ſubjects would ſuffer greatly, began to form new projects; and as he ſaw there was no advantage for him to gain by a victory, he reſolved on changing the meaſures he had hitherto purſued, and to ſave his troops, by ſtanding neuter on the day of battle; that ſo he might be in a better condition to defend himſelf againſt the conqueror, if attacked. Penda and Athelrick, unacquainted with Adelwalt's deſign, on Nov. 15, anno 655, boldly marched up to and attacked the Bernicians, not doubting but they ſhould be ſeconded by the Deirans: But when they perceived Adelwalt ſtand aloof, and keep his army at a diſtance, it filled them with diſmay; and their troops, ſuſpecting there was ſome treachery, no longer fought with their uſual ardour and impetuoſity, but began inſenſibly to retreat. The two monarchs would gladly have ſtayed their flight, and did their utmoſt to make them rally, but all in vain; for both of them, while thus endeavouring to renew the fight, were ſlain; the thirty commanders, with their thirty legions, were entirely defeated; and the battle being fought at a place which was afterwards called Winwidfield, (now Leeds in Yorkſhire) near the river Aire, which then overflowed all its banks, the runaway troops, to avoid the fury of the Bernicians, plunged into the river, where more of them were drowned than had fallen by the ſword of their enemies.

And here I cannot help taking notice of a miſtake that moſt of our hiſtorians have fallen into, who aſſert, that Adelwalt returned at the head of his troops into his own dominions, where he reigned peaceably ſeveral years after; which is an account that abounds with contradictions: For, in the firſt place, it does not appear that Adelwalt had ever been out of his own dominions; ſince Leeds, where the ſcene of the late action had been, lay almoſt in the centre of Deira, or at leaſt very far diſtant from any of its borders. And next, all authors affirm that Oſwy, ſoon after this engagement, wherein he

had ſlain Penda, made a conqueſt of Mercia, to which he could have no acceſs but through the dominions of Adelwalt. Now it appears not at all likely that he would advance ſo far to the ſouthward without firſt making ſure of what was behind him, and ſubduing thoſe provinces which, through all the former part of his reign, he had been ſo anxious of having under his ſubjection. And laſtly, it is well known that Streanſhalh Abbey was the monaſtery, or nunnery, he founded in conſequence of his vow, which certainly would never have been the caſe if he had not conſidered that place as ſituate in his own dominions. Therefore we may reaſonably conclude, that the ſovereignty of Deira henceforward remained in Oſwy; and that Adelwalt, though he was permitted to live, on account of his conſanguinity to Oſwy, never more exerciſed the regal power, but lived a private gentleman on his own patrimonial eſtate, or on ſome lands belonging to the crown, which his uncle might ſuffer him to enjoy.

Before I proceed, give me leave to take notice of another miſtake which Rapin and moſt of our hiſtorians ſince his time have fallen into, who ſay, that Oſwy, when diſtreſſed, vowed, not only to make his daughter a Nun, but alſo to build twelve monaſteries; for the ſupporting of which opinion they quote two very noted hiſtorians, viz. the venerable Bede and William of Malmeſbury. But it ſeems to me they have not carefully peruſed theſe Monkiſh writers, otherwiſe they would not have aſſerted ſuch an abſurdity: For, if we compare Malmeſbury, lib. i. cap. 4, with Bede, lib. iii. cap. 24, we may eaſily perceive that the one of theſe accounts has been copied from the other, but that neither of them mention any ſuch thing as twelve monaſteries, though the word monaſtery is uſed by both in the plural number, which probably is a fault in ſome of the earlieſt tranſcribers of Bede; or an intention to build ſeveral monaſteries (though not twelve) might really be the deſign of Oſwy when he made his vow; but upon mature conſideration, after the battle of Leeds, he might judge it more proper to confine the number to one; for it is certain that Oſwy never founded any other monaſteries, or religious houſes, during his reign, than the Abbey at Streanſhalh, the cathedral church at Litchfield, and the Priory at Yeding, where he had cauſed his couſin Oſwin to be murdered: Nevertheleſs, all authors agree that he properly diſcharged his vow, by building an Abbey at Streanſhalh, and making his young daughter, the Princeſs Elfleda, a Nun therein.

We have already obſerved, that Lady Hilda put herſelf under the direction of Biſhop Aidan ſoon after his arrival in England. She was ſo much charmed with the holineſs and primitive ſimplicity of this prelate, that ſhe endeavoured to copy in her behaviour every virtue with which he was adorned. She heard him with new pleaſure daily expound the ſcriptures, and talk in rapturous ſtrains about heavenly things: His diſcourſe inſpired her with ſuch a ſenſe of religion as ſhe had never known before: She became fond of meditation and prayer; and at laſt was ſo much raviſhed with the pleaſures of a contemplative life, that ſhe reſolved entirely to renounce the world, and take the habit and veil of a Nun. This ſhe was the more inclined to, as her ſiſter Hereſwith, who married Athelrick King of the Eaſt Angles, had, about the year

year 644, retired into the monaſtery of Cale, or Challes, in France, founded by Bathildis, (as Dr. Smith informs us) where ſhe ſpent her days as a recluſe, and recommended the ſame courſe of life to her ſiſter Hilda: Upon which Hilda formed the deſign of going abroad, and profeſſing herſelf a Nun in that monaſtery. Accordingly ſhe repaired to the court of Eaſt-Anglia, where ſhe continued a whole year without ever meeting any proper opportunity for ſetting out. Biſhop Aidan being informed of this, and well acquainted with her merit and religious diſpoſition, perſuaded King Oſwy to ſolicit her return into Northumberland, informing her at the ſame time that ſhe ſhould be indulged in all her deſires.

Hilda, being thus recalled, immediately took the veil, and had the land of one family given her for her ſupport by King Oſwy, at Wearmouth, on the north ſide of the river Wear, where, for the ſpace of one year, ſhe led a monaſtic life with very few companions, her revenues being then inconſiderable. But, in the year 648, Heru, Abbeſs of the Monaſtery at Heortheu, Heortea, or Hartlepool, leaving that place, went to found a new monaſtery or nunnery at Kalcaceaſter, *(the Calcaria of Antoninus)* now Tadcaſter, in Yorkſhire, where ſhe reſided the remaining part of her life; and Bede tells us, "That the religious ſervant of Chriſt, Hilda, was appointed to be her ſucceſſor at Hartlepool; where, being ſet over the monaſtery, ſhe began immediately to practiſe a regular courſe of life, according to the inſtructions ſhe had received from learned men, viz. Biſhop Aidan, and other religious men, with whom ſhe had long converſed; who entirely loved, frequently viſited, and diligently inſtructed her, becauſe of her innate wiſdom, and inclination to the ſervice of Almighty God."

No ſooner had King Oſwy compleated the conqueſt of Mercia, and ſettled affairs in the kingdom of Northumberland, but he appointed a ſolemn day of thankſgiving to God for the ſucceſs he had granted him againſt his enemies; and then, being reſolved to perform his vow, he aſſembled his council to deliberate where this nunnery was to be built, in which his infant daughter Elfleda was to be conſigned to perpetual virginity; as alſo to conſider who ſhould be the Abbeſs or Governeſs, under whoſe care and direction ſhe might be brought up. But here there was no neceſſity for much deliberation, ſince the great quantity of crown land that lay about Streanſhalh rendered it a proper place for building an Abbey; and Lady Hilda, a native there, who was now in the 43d year of her age, had acquired ſo high a character for virtue and holineſs of life, that ſhe was deemed one of the greateſt ornaments of the Northumbrian nation, being famed all over the iſland of Great Britain, not only for her extraordinary knowledge and learning, but alſo for her charity, meekneſs, and humility. She now lived in the monaſtery at Hartlepool, abſtracted as it were from the world; and Oſwy for the preſent ſent his daughter there, till ſuch time as an Abbey was built at Streanſhalh, and proper accommodations made near it for a nunnery.

The cathedral church at York had now been finiſhed about fifteen years; which being judged a maſter-piece of workmanſhip, Oſwy reſolved to make it the model of that Abbey he now intended to build at Streanſhalh; for which

which purpoſe it is believed he engaged as many of thoſe architects and workmen as he then could meet with, who had been concerned in building that noble ſtructure. After which, the proper materials being provided, the foundations of an Abbey were laid, and the building begun, anno 656, on forty ſuperb pillars, in the Gothic form of architecture; the whole length of the Abbey being 100 yards; of which the nave towards the eaſt was 36 yards, and towards the weſt 49 yards, and the breadth of the choir 15 yards; the breadth of the nave within (including the cloiſters) being 23 yards; and the extent of the choir, or croſs-part, from north to ſouth, 50 yards, which was preciſely half the extreme length of the whole building. Alſo the height of the nave was 20 yards, and of the tower or ſteeple 35 yards. Great diligence was uſed to forward this work, and great care taken that it might be neat and elegant. Lady Hilda was the chief director: She often attended at Streanſhalh, to order what ſhe thought moſt proper and convenient to make the whole compleat; and nothing was undertaken or done there without conſulting her. Great was her pleaſure to ſee a fabric riſing and advancing regularly, in which ſhe was to ſpend the remainder of her days; where ſhe could enjoy her native ſoil, live retired from the world, and be inſtrumental towards the ſalvation of her ignorant neighbours.

In the year 658, Hilda (whether by the death of her mother Bereſwith, or by the bounty of King Oſwy, is uncertain) obtained a poſſeſſion of ten families in the neighbourhood of Streanſhalh, being the lordſhip or manor of Aiſlaby, where ſhe had been born. The monaſtery was then ſo far compleated, that ſhe, with the young Princeſs Elfleda, and ten more virgins from Hartlepool, took up their reſidence therein. Several other ladies alſo, following the example of Hilda, embraced this opportunity of renouncing the world, and profeſſing themſelves Nuns, pleaſed with the company of ſo pious a miſtreſs, and allured with the proſpect of an eternal crown, which was then conſidered as the certain appendage of mortification and ſelf-denial. That they might be ſupported in a manner ſuitable to their rank and dignity, King Oſwy immediately put them in poſſeſſion of the crown lands that lay all around Streanſhalh, viz. the whole of Whitby-Strand, which the venerable Bede ſays, "contained ſix poſſeſſions, lordſhips, or manors, conſiſting each of ten families; he having given the other ſix, comprehended in his vow, to the monaſtery of Heorta, or Hartlepool, in the province of the Bernicians." But here I cannot help differing in opinion from our venerable author; for, notwithſtanding what Oſwy might give at Hartlepool, it is certain that Whitby-Strand, which was his donation, contains neither more nor leſs than twelve manors, being the very number he promiſed by vow to give the monaſtery he would found.

Bede tells us, "That Hilda was no ſooner eſtabliſhed Abbeſs of Streanſhalh, than ſhe put the monaſtery there under the ſame regular diſcipline that ſhe had practiſed at Hartlepool, and taught the ſtricteſt obſervance of juſtice, piety, chaſtity, and other virtues; and particularly of peace and charity, it being her daily cuſtom with great devotion to pray for the peace of her nation. She copied after the example of the primitive church; ſo that in her monaſtery no

perſon

perſon was rich, nor any poor, but every thing was in common to all, no one there having any real property. Her prudence was ſo great, that not only indifferent perſons, but even Kings and Princes, as occaſion offered, deigned to aſk and alſo to receive her advice." Thus qualified for the high ſtation which ſhe filled, ſhe, and her ſiſterhood, continued ſerving their Maker with the utmoſt humility and devotion, celebrating his praiſes in the pureſt ſtrains of religion, and living in the moſt perfect harmony, till at length an unhappy diviſion ſpread itſelf among them, and not among them only, but alſo over the whole kingdom of Northumberland, about the manner of obſerving Eaſter.

It had long been cuſtomary there to celebrate that feſtival on the day of the full moon which happened next after the vernal equinox, whether that day fell on a Sunday, or on any other day of the week, following herein the method of the Eaſtern or Greek church, and alledging for their authority the example of St. John the beloved diſciple. While, on the contrary, all the other chriſtians, in the ſeveral counties and kingdoms of England, who had been converted by Auſtin and his followers, copied after the church of Rome, which, ſupported by the example of the two Apoſtles Peter and Paul, kept the feaſt of Eaſter as preſcribed by the council of Nice, (held more than three centuries before this) not on the day of the full moon next after the vernal equinox, but on the Sunday that followed next after that day. Nor will this difference to any unprejudiced man appear a thing material to ſalvation, ſince it no way affects the moral part of religion, nor even interferes among chriſtians ſo far as to cauſe a difference in any article of their faith. As the inſpired penmen are ſilent on this head, it ſeems done deſignedly, and on purpoſe that every one might therein follow the cuſtom that ſeemed to him moſt agreeable: "It being *(to uſe the words of Socrates the Greek hiſtorian)* the deſign of Chriſt and his apoſtles, not to determine circumſtances about holidays, but to inſtruct mankind in the precepts of piety and a good life." From which paſſage it is evident that even the chriſtians of that age, who were not fond of wrangling, conſidered this controverſy as of little importance to religion.

On the death of Aidan, anno 652, he was ſucceeded in the See of Lindiſfarne by Finan, another Monk from the Monaſtery of Jona, or Kolmkill, whoſe character and reputation, for virtue and holineſs, was little, if any ways inferior, to that of his predeceſſor Aidan. The Romaniſts had then begun to uſe their endeavours to reduce the Scottiſh Clergy and church of Northumberland to a conformity with the church of Rome, in regard to the time of celebrating Eaſter; but theſe conſidering themſelves as no ways dependent on that church, all the remonſtrances they made proved ineffectual. The Romaniſts, therefore, thinking it would much advance their intereſt if they could gain over Finan to their ſide, ſent a ſolemn deputation to him for that purpoſe, headed by Ronan, a Scotch Prieſt, that had been educated in France, who laid before him the reaſons alledged by the church of Rome for the manner in which they obſerved Eaſter; but Finan, no ways moved by theſe reaſons, was only the more confirmed in the cuſtom wherein he and his brethren of Jona had always been uſed to obſerve Eaſter. So long as Aidan and Finan

nan lived, Bede ſays, the Romaniſts bore with patience this diverſity of opinion, on account of the great veneration all men had for theſe two holy prelates; but no ſooner was Finan dead, in the year 661, and Colman, another Monk of Jona, eſtabliſhed in his room in the See of Lindisfarne, but this diſpute began to run higher than ever; nay the Romaniſts, who had now got a conſiderable party in Northumberland, ſtigmatized, and branded with the name of Schiſmatics, all ſuch as did not conform to the church of Rome. And the matter was not only diſputed among the clergy, but the controverſy was alſo carried on with ſo much zeal, even among the ignorant laity, as if their eternal ſalvation had entirely depended thereon. And indeed the Romaniſts were of opinion that it was a thing of the utmoſt importance, as appears from the words of Bede, who ſays, "It was not without reaſon that this queſtion diſturbed the minds of a great number of chriſtians, who were apprehenſive leſt, after they had begun the race of ſalvation, they ſhould be found to have run in vain."

But ſetting theſe things entirely aſide, it muſt be owned that this difference about holding the great feſtival of Eaſter cauſed much confuſion; for while one half of the nation was commemorating the reſurrection of our bleſſed Saviour, the other half was commonly ſtill keeping lent, and humbling themſelves by abſtinence and prayer. An inſtance of which was to be ſeen at that very time in the royal family; for King Oſwy, who had been educated in Scotland, always kept the Paſchal feaſt after the manner of the Eaſtern Church, while his Queen Eanfleda, who had been brought up in Kent, as ſtrictly adhered to the cuſtom of the Weſtern Church. It was abſolutely neceſſary therefore that ſome remedy ſhould be found out to prevent this confuſion; and nothing could be thought on ſo effectual to put an end to the preſent diviſions, as calling a national ſynod, where all the arguments of both parties might be cooly heard, and a coaleſcence in opinion formed for the future on what appeared to be moſt reaſonable. It was eaſy for Oſwy to appoint ſuch an aſſembly, or council, as he had for many years been acknowledged Monarch of the Saxon Heptarchy; and the Romaniſts never ceaſed making application to him, till he conſented thereto, and appointed the nunnery of Hilda at Streanſhalh for the place where it was to be held, in the ſummer ſeaſon of the year 664.

The time and place being thus appointed, there appeared at this convocation, in order to defend the eſtabliſhed cuſtom, or Scotch party, (who were headed by King Oſwy) the renowned and virtuous Lady Hilda, Abbeſs of Streanſhalh; the pious and learned Colman, Biſhop of Lindisfarne; the meek and humble Cedd, Biſhop of the Eaſt Saxons, and a numerous train of Prieſts and Monks from the two monaſteries of Kolmkill and Lindisfarne, with all ſuch as had received ordination from them. And on the ſide of the Romaniſts, (who were headed by Queen Eanfleda) there appeared Prince Alfred, ſon to King Oſwy, attended by Wilfrid his preceptor, then Abbot of Ripon, who had been educated at Rome; as alſo by Agilbert, formerly Biſhop of the Weſt Saxons, but then Biſhop of Paris, and Agathon, one of his Prieſts,

James,

James, a Deacon, Ronan, a Scotch Prieſt, brought up in France, and all thoſe who had been inſtructed by the Italian Prieſts and Monks.

Cedd being appointed prolocutor, or interpreter, to this aſſembly, King Oſwy made a ſhort ſpeech, to acquaint them with the reaſon of their being thus called together, in which he urged "the neceſſity all thoſe were under who ſerved one God to celebrate his heavenly ſacraments alike. That the unchriſtian-like variance, which had for ſo many years ſubſiſted in the church, about the celebration and time of keeping Eaſter, was by the learned aſſembly then preſent to be diſcuſſed, and ſomething determined on which might for the future put an end to all diſputes. Wherefore he earneſtly requeſted both parties to lay aſide all animoſities, and uſe their utmoſt endeavours to come to ſome agreement. After which, praying that the Holy Spirit might direct their proceedings, he commanded Biſhop * Colman firſt to ſpeak, and alledge what he had to ſay in behalf of the Scottiſh church."

On which Colman ſtood up, and, with reverence, ſaid, "He kept Eaſter in the manner that had ever been practiſed by his predeceſſors, and thoſe who ordained him in Scotland: That Finan, Aidan, and Columba, who were by all allowed to be holy men, had always obſerved it in the ſame manner: That, if their authority was not ſufficient, he had for his warrant the cuſtom of St. John the Evangeliſt and beloved Diſciple, who, in the churches planted by him, had always celebrated the feaſt of Eaſter at the ſame time as was then obſerved in Scotland. Therefore *(added he)* knowing the man to be ſo worthy, and the method ſo antient, I hope every one here preſent will confeſs it would be very unſafe for us now to leave it."

To this ſpeech of Colman's, Agilbert, Biſhop of Paris, was deſired to return an anſwer; who excuſing himſelf, on account of his little knowledge in the language then uſed by the Northumbrians, Wilfrid, Abbot of Ripon, ſtood up, and, having the King's permiſſion, replied, in behalf of the Romaniſts, nearly in the following words: "Eaſter, in the manner we obſerve it, we ourſelves have ſeen obſerved at Rome, where the bleſſed Apoſtles Peter and Paul lived, preached, ſuffered, and are buried. And in our travels through France and Italy, whether for pilgrimage or ſtudy, we have every where ſeen the ſame order kept. We know likewiſe, by relation, that in Africa, Aſia, Egypt, and Greece, nay among all nations and kingdoms of the world, where the church of Chriſt is eſtabliſhed, this our time and order is practiſed. Shall then theſe remote and inconſiderable iſlands of the ocean, inhabited by a few obſtinate Britons, Scots, and Picts, fondly pretend to diſpute this affair againſt all the world?"

Here he was interrupted by Colman, who ſaid, "I greatly marvel, Brother Wilfrid, that you call our behaviour a fooliſh contention, when we have for our pattern and guide ſo worthy an Apoſtle as John was, who alone leaned

* There is a Dale ſurrounded with moors, and ſituate about ſix miles ſouth-eaſt from Guiſbrough, called to this day Colmandale, on account (as is believed) of this venerable Prelate's having formerly had an hermitage, or place of reſidence, therein, to which he ſometimes uſed to reſort.

upon our Lord's breaſt, and whoſe life and behaviour all the world acknowledges to have been wiſe and diſcreet."

Wilfrid, ſenſible of his having ſpoke too freely, made anſwer, "God forbid I ſhould accuſe John; but it is well known that, in the firſt dawning of chriſtianity, the Apoſtles and Diſciples of our Lord greatly temporized with the Jews, for the ſake of making proſelytes: John kept the law of Moſes literally; and all the Apoſtles were conſtrained, in ſome particulars, to bear with ſuch as accounted it a great ſin to aboliſh thoſe rites which God himſelf had inſtituted: Thus Paul circumciſed Timothy, offered bloody ſacrifices in the temple, and ſhaved his head at Corinth with Aquila and Priſcilla: Alſo we are told (Acts xxi. 20.) *that many thouſands of the Jews which did believe were zealous followers of the law.* But the light of the goſpel now ſhining over all the world, it is not lawful for any chriſtian to be circumciſed, or to offer up bloody ſacrifices. St. John, according to the cuſtom of the law, which commandeth the Feaſt of the Paſſover to be kept from the 14th to the 21ſt day of the firſt month, began to celebrate the Feaſt of Eaſter on the firſt day of the Jewiſh Paſſover, regardleſs whether that day was Sunday, or any other day of the week; but, in imitation of the Jews, he continued to obſerve that Feſtival alſo on each of the ſix following days: While St. Peter, preaching the goſpel at Rome, and remembering that our Lord roſe from the grave on a Sunday, giving thereby aſſurance to us and certain hopes of a future reſurrection, always obſerved the Feaſt of Eaſter according to the commandment of the law which he received from our Lord. Neither herein did he wholly contradict the manner of St. John, ſince he obſerved it on one of thoſe days on which the Jews were celebrating their Paſſover, and on which St. John was alſo obſerving Eaſter; only he thought it moſt neceſſary that that day ſhould be a Sunday. Hence it appears this was not newly decreed, but rather confirmed, by the council of Nice, anno 325, to be the propereſt time for the celebration of the Reſurrection; and hence I conclude, that as you only obſerve Eaſter on the firſt day of the Jewiſh Paſſover, you neither celebrate this feſtival according to the method preſcribed by Peter or John."

To this Colman replied, "That Anatholius, who was much commended for his holineſs by eccleſiaſtical hiſtory, as alſo Father Columba of like ſanctity, by whom miracles were wrought, always kept the Feaſt of Eaſter as he then did; and that from their imitation he did not think it lawful to digreſs."

"The holineſs of your Fathers, and the miracles they have wrought, I do not now pretend to diſpute *(anſwered Wilfrid)*; but this I ſay, that in the day of judgment many will ſay unto Chriſt, Have we not propheſied, caſt out devils, and wrought miracles in thy name? to whom our Lord will anſwer, I know you not. And if your Father Columba (yea and our Father, if he be the true ſervant of Chriſt) were holy and mighty in miracles, yet can he by no means be preferred to the moſt bleſſed Prince of the Apoſtles, to whom our Lord ſaid, (Matth. xvi. 18, 19.) *Thou art Peter, and upon this rock I will build my church; and the gates of hell ſhall not prevail againſt it; and to thee will I give the keys of the kingdom of heaven.*"

Here

Here Wilfrid was interrupted by the King, who aſked Colman, "Whether our Lord really ſpake thus unto Peter?" Colman anſwered, "He did." "Then *(ſaid the King)* can you give evidence of ſo ſpecial an authority?" The Biſhop ſaid, "No." "Then *(quoth the King)* do you both agree confidently that theſe words were principally ſpoken unto Peter, and that unto him the keys of the kingdom of heaven were given?" All the council anſwered, "It is moſt certain." Whereupon the King ſaid, "Then will I never withſtand or gainſay ſuch a Porter as this is; but, to the beſt of my knowledge, keep and obey his ordinances, leſt perhaps, when I come to the gates of heaven, I find none that will open to me, on account of my being under his diſpleaſure, who is ſo clearly proved to bear the keys thereof."

This change of opinion in the King was a great means of determining the controverſy; for other members of the ſynod, led by his authority, immediately came over to the ſide of the Romaniſts; and, it being put to the vote, Colman and his followers were worſted, and the Romiſh manner of obſerving Eaſter was adopted in every part of the kingdom of Northumberland. Henceforward all the Engliſh willingly conformed: But the Scots, though defeated in their cauſe, were by no means agreeable to give up or relinquiſh the point in diſpute; and, rather than ſubmit, all of them, with Colman their leader, immediately left England, and returned to the Monaſtery of Jona; only Cedd, the pious Biſhop of the Weſt Saxons, conſidering this as an inſufficient reaſon for deſerting the flock committed to his charge, choſe to conform, and continued in his See. Whether Colman and his party were influenced by pride and haughtineſs when they left England, or whether they really eſteemed the obſerving Eaſter, in the manner they had always heretofore obſerved it, as eſſentially neceſſary to ſalvation, and as a point of conſcience they could not diſpenſe with, is at this diſtance of time a thing not eaſy for us to determine: But we cannot help lamenting the ſtiffneſs and obdurate diſpoſition of ſome chriſtians that have exiſted in every age of the church, and the unaccountable notions they have of the chriſtian religion, who, rather than bear with their neighbours, or conform to their cuſtoms, in things that are wholly indifferent, as we find our Lord and Saviour and his Apoſtles did, have fomented and kept on foot ſuch ſchiſms and diviſions in the church as have been productive of the worſt conſequences; not conſidering that charity is the darling characteriſtic of the chriſtian religion, and that we are commanded to bear with one another, as being all creatures of the ſame Providence, and all equally liable to errors and miſtakes. However, notwithſtanding all theſe heats and animoſities, the Roman method of obſerving Eaſter prevailed by degrees over the whole iſland of Great Britain; the Picts conforming about the year 699, the Scots and Monks of Jona in the year 716, and the Britons or Welſh about the year 800.

In this ſame ſynod, or council, at Streanſhalh there was alſo a controverſy about the eccleſiaſtical tonſure; the Romaniſts alledging, that the head ought to be ſhaved round, juſt in that part where our Saviour wore the crown of thorns, of which they conſidered this as an emblem: While the Scots Prieſts followed the practice of ſhaving their heads on the fore-part from ear to ear.

How this affair was determined, Bede, who writes an account of the ſynod, does not inform us: But here there was no need of any determination, ſince the Scots, having already given notice of their intention to retire, left the Romiſh cuſtom fully eſtabliſhed, without the leaſt appearance of any oppoſition for the future.

The ſtorm, that had been raiſed by the controverſy about Eaſter, being thus at laſt happily ended, to the ſatisfaction of the Romaniſts, they began by degrees to make conſiderable alterations, to extend the authority of the church, and to engroſs more and more power. Before this ſynod was held, very few Monks were admitted into the Monaſtery of Streanſhalh, and thoſe few were of the order of Jona, by whom ceremony and dreſs were but little regarded, virtue and holineſs of life being the principle things required of them: But no ſooner had the Romaniſts gained the aſcendant in Northumberland, than they inſiſted that all the Religious in our Monaſtery ſhould conform to the habit, rules, and order of St. Benedict, of which claſs was Auſtin and all his followers that came into England, among whom dreſs was a thing particularly to be regarded. The Monks were obliged to wear a looſe black coat, or ſtuff gown, reaching down to their heels; with a hood or cowl of the ſame, and a ſcapulary; and under that a white habit made of flannel, as large as the former; with boots on their legs; and from the colour of their outward habit they were generally called Black Monks. As for the Nuns, their habit was a black robe, with a ſcapulary of the ſame; and under that robe, a tunic of white or undyed wool: When they went to the choir they had over all a black cowl like that of the Monks. He that deſires to be more fully informed about their dreſs may conſult Dugdale's Monaſticon, and Stevens's continuation thereof, where he will find the cut of a Benedictine Monk, and alſo of a Nun, both with and without her cowl. Benedict, the father of this order, was born in Italy, at Nurſia, in the dutchy of Spoletto, about the year 480: He retired early from the world into an hermitage, or cell, where he practiſed great auſterities: Afterwards, being joined by many diſciples, or followers, they among them founded a Monaſtery on Mount Caſſino, where Benedict ſpent the remainder of his days, and was always eſteemed a very pious and holy man. He died there, anno 543, with the character of a Saint. In the year 595, Pope Gregory the Great gave a ſanction to his rule, and canonized him, by ordering his name to be inſerted in the Calendar.

A conſiderable number of theſe Benedictine Monks were now admitted into the Monaſtery of Streanſhalh, to be a kind of balance or check upon Lady Hilda, that ſhe might never more attempt to introduce there the Scottiſh cuſtom of celebrating Eaſter, nor controul them with regard to the eccleſiaſtical tonſure: And Hilda, that ſhe might not be overburdened with their number, founded an Hermitage, or rather a little Monaſtery, in the midſt of a foreſt on Eſkdale-ſide, whither ſome of them might upon occaſion retire, and devote their time to contemplation and prayer. This foreſt was the rather pitched upon by her, becauſe adjoining to the place of her nativity, and ſeems to have had in it ſome very religious and holy men: Among others, Cedmon, who reſided much there, had a character ſo extraordinary, that to paſs him over

over unnoticed would appear an unpardonable neglect to all lovers of antiquity; more especially, as not only Bede, but also many other of our historians, make honourable mention of him, and have loaded him with the highest encomiums.

This Cedmon had lived in a Secular habit till well advanced in years, being extremely beloved and respected for his integrity of life and the uprightness of his morals: He was but little acquainted with letters, and possessed no taste for the softer sciences: He was serious and reserved; so that when the Monks were invited to any entertainment, or feast, and disposed to be merry, it was his custom to retire, and return home, as having no inclination to their mirth and jollity. Once, at a certain time, being invited to one of these banquets, it fell in his turn to take care of the horses; and, after supper, when others began to make merry, he retired to the stable, under a pretence of minding his charge. Here he composed himself to rest; and, in his sleep, a certain unknown person appeared to him, calling him by his name, and saying, "Cedmon, sing me a song." Cedmon answered, "I cannot sing; for the very reason of my leaving the entertainment, and retiring to this place, was, lest I should be compelled to sing in my turn." Hereupon the stranger, who talked to him, repeated his commands, saying, "However you shall sing." "What shall I sing?" replied Cedmon. "Sing the beginning of creatures," said the stranger. Whereupon Cedmon, inspired with a genius above the sphere of mortality, began to sing verses to the praise of God, such as were never heard before, the purport of which was as follows:

"We are now to praise the Almighty Maker of the heavenly kingdom, to extol the power and wisdom of the Creator, and to proclaim the noble acts of the Father of glory: How he, being the eternal God, became the author of all miracles; and first, as the omnipotent preserver of the human race, formed heaven for the sons of men, as the canopy or roof of their house; and next the earth."

This is the sense of Cedmon's hymn, but not the order of the words as he sung them in his sleep; for poetry, though never so well composed, cannot be literally translated out of one language into another, without losing much of its beauty and loftiness. Awaking from his sleep, he perfectly remembered all the hymn he had sung in his dream, and found himself enabled to add thereto much more divine poetry to the same purpose. In the morning he came to the Steward, or Prior, he was under, and gave him an account of the gift he had received, who conducted him to the Abbess Hilda; and she ordered him, in the presence of many learned men, to tell his dream, and repeat the hymn, that all might pass their judgment on that he said, what it was, and whence it proceeded: After hearing which, they were universally of opinion, that he had received a divine grace from heaven. They then expounded to him some passages in holy writ, both historical and doctrinal, ordering him, if he could, to put the same into sacred verse; which having undertaken, he went away, and returned again next morning, bringing with him the whole, composed in most excellent poetry: Whereupon the Abbess, admiring the heavenly grace she saw this man to be endued with, exhorted him

him to quit his Secular habit, and become a Monk; which he having accordingly done, ſhe aſſociated him to the reſt of the brethren in Streanſhalh monaſtery, and ordered them to teach him the whole ſeries of the ſacred hiſtory.

Cedmon, keeping in mind all that he could by the ear, and, ruminating thereon, turned the ſame into moſt harmonious verſe; and, ſweetly repeating the ſame, made his maſters in their turn his hearers. He ſang the creation of the world, the origin of man, and all the hiſtory of Geneſis. He alſo made many verſes on the departure of the children of Iſrael out of Egypt, and their entering the land of Promiſe; with ſundry other hiſtorical parts of holy writ. He then ſang the incarnation, paſſion, and reſurrection of our Lord; with his aſcenſion into heaven, the coming of the Holy Ghoſt, and the preaching of the Apoſtles; alſo the terrors of a future judgment, the horror of the pains of hell, and the boundleſs delights of the heavenly kingdom. Beſides theſe, he made many more verſes on the divine benefits and judgments; by which he endeavoured to turn away all men from the practice of vice, and to excite in them a love of virtue and good actions. His verſes were ſo pious and religious, ſo ſweet and harmonious, ſo full of energy and compunction, that the minds of many were made thereby to deſpiſe the world, and to aſpire after a heavenly life: They abounded with that divine furor which enlivens and ennobles poetry; and were ſo far above the vulgar reach, that they were for many ages after him conſidered as the model and ſtandard of perfection. Many endeavoured, but all in vain, to equalize Cedmon, and it was firmly believed he received this art, not from the aſſiſtance of man, but by divine inſpiration. He never compoſed any trivial or vain poems; only ſuch as related to religion ſuited his diſpoſition: And indeed he was a very religious man, humbly practiſing a regular courſe of life, but full of zeal againſt ſuch as behaved themſelves otherwiſe. It is not at all to be doubted but that he had certain knowledge beforehand of the time when he was to put a happy period to this life: For, when the day of his departure approached, he laboured for the ſpace of fourteen days under a corporal infirmity; yet ſo ſlight, that he could talk and walk about all that time, being in the houſe next to that where thoſe who were ſick and like ſhortly to die were confined. In the evening of that night in which he departed this world, he deſired his keeper to make ready for him a place where he might reſt in the other houſe. The keeper wondering why he ſhould deſire this, when no ſymptoms of death appeared on him, did however as he was ordered. After being admitted into that apartment, he converſed chearfully and pleaſantly with thoſe he found in it, till midnight was paſt, when he aſked them, if they had the Euchariſt there? They anſwered, "What need have you of the Euchariſt, who talk with us not at all like a man that is ſick?" "However, *(ſaid he)* bring me the Euchariſt." And having received the ſame into his hand, he aſked, "If they were all in charity with him?" They anſwered, "That they were all in perfect charity, and void of any anger or malice towards him." After which, they, in their turn, aſked him, "If he was in the ſame mind towards them?" He anſwered, "I am in charity, my children, with all the ſervants of God." Then having received the viaticum, and prepared himſelf for the entrance

trance into another life, he aſked, "How near the time was when the brethren were to be awaked to ſing the night praiſes of our Lord?" They anſwered, "It is not far off." Then he ſaid, "Well, let us wait that hour." And, ſigning himſelf with the ſign of the croſs, he laid his head upon the pillow, fell into a ſlumber, and ended his life without a groan; thus, by a quiet death, in the year 670, departing to the preſence of that God whom he had ever ſerved with a ſimple and pure mind.

Cedmon's memory remained in great veneration, not only at Streanſhalh, but alſo through the whole kingdom of Northumberland, where his name was long honourably uſed as an appellative or proper name, and, after the conqueſt, was adopted as a ſurname; ſo that there yet remain to theſe our days ſome families in Whitby, and its neighbourhood, that are known by the name of Cedmon, or Sedman; a name with us the moſt honourable and antient of all others. Several fragments of this divine poet are ſtill extant; one of the moſt conſiderable of which is in the Saxon Chronicle, where there is a long quotation from one of his ſacred odes, uſed on a different occaſion, viz. on account of a great victory gained, more than 250 years after his death, by our Saxon Monarch Athelſtan, over Anlaffe, King of the Norwegians. There is ſomething ſo pathetic and ſublime in the deſcription of Anlaffe's flight, as ſufficiently evinces it to be the work of a maſterly hand. Long it excited the admiration, and puzzled the ſkill, of all the learned, who were at a loſs how to reconcile it with the language and ſtyle uſed in the other parts of this Chronicle: But Dr. Gibſon, the late Biſhop of London, in his accurate edition of that work, hath at laſt ſet the matter in a clear light, and proved, beyond all contradiction, that paſſage to be the remains of one of Cedmon's odes.

About the beginning of the year 670, King Oſwy, being afflicted with a lingering illneſs, felt much remorſe for the murder of his couſin Oſwin, whoſe innocent blood he had ſpilt; and, by way of atonement for this crime, vowed, as ſoon as his health would permit, to make a pilgrimage to Rome, in which reputed holy place he hoped to get abſolution, propoſing to ſpend the remainder of his days, and to be buried, there, where the holy Apoſtles Peter and Paul had lived and ſuffered martyrdom. But, his diſeaſe daily gaining ground, he was diſappointed of his purpoſe, and departed this life that year on the 15th day of February, after having filled the throne of Northumberland twenty eight years. He died much lamented by all his ſubjects; though none felt his loſs more heavily than the inhabitants of Streanſhalh, to which place he had for many years been a conſtant benefactor. He was interred, according to his deſire, in the church of St. Peter at that place: And his dowager, Queen Eanfleda, now renouncing the world, immediately after his death, took up her reſidence in the Monaſtery or Nunnery there, where, with Lady Hilda and her daughter Elfleda, ſhe ſpent all the remaining part of her life; and was finally at her death alſo buried in the ſame church, near the remains of her renowned father Edwin, and thoſe of her late royal conſort Oſwy.

As Lady Hilda advanced in years ſhe grew in fame, and was regarded over the greateſt part of Britain as a being of a ſuperior ſpecies to the reſt of her ſex; many miracles were attributed to her; and the veneration which the common

common people had for her was ſufficiently expreſſed by their caling theſe places where ſhe reſided, or in which ſhe moſt delighted, after her name. Thus the Monaſtery at Streanſhalh was called Hilda's Nunnery; for, though the Abbey was by King Oſwy originally dedicated to St. Peter, and the Monaſtery to the bleſſed Virgin Mary, yet have they through all ages, even till theſe our days, been much better known by the name of Hilda's. Thus alſo a large ſpring, or well, near Swarthoue-Croſs, where ſhe often uſed to reſort when young, afterwards aſſumed her name. And thus alſo a well in Hilderwell chuch-yard, where ſhe had a retreat, has not only ever ſince retained her name, but alſo communicated the ſame to that whole village.

In like manner, a number of petrifications, much reſembling ſnakes without heads, being found in the rock under the cliff near Streanſhalh, the common people, ever ſince the time of Hilda, have believed that theſe were all originally real ſnakes, which abounded in the ſkroggs and rocks within the harbour, and all along the coaſt, when Hilda and her Nuns firſt came from Hartlepool to reſide at Streanſhalh; and that, being filled with terror thereat, ſhe prayed to God that he would cauſe them all to crawl down the cliff, and be converted into ſtones. Hence, on account of this ſuppoſed miracle, they are to this day vulgarly called St. Hilda's ſtones, having the appearance of ſnakes rolled up in coils, but without heads. Theſe are what the naturaliſts call Amonitæ, and, as we ſhall endeavour to ſhew afterwards, are no other than ſuch petrefactions as are to be met with wherever any allum-rock is found. But in the early ages of the church, when ignorance greatly prevailed, it was uſual to aſcribe every uncommon production of nature, which could not be well accounted for, to the miraculous power of ſome Saint. Though the preſent cliff is now much waſted away ſince the days of Hilda, and though it may be a mile farther to the ſouthward than it was immediately after Noah's flood, yet theſe Amonitæ are ſtill found in great abundance more than ſixty yards under ground, and moſt aſſuredly will be ſo as long as any allum-rock remains on this part of the coaſt.

Camden tells us farther, that it was vulgarly believed, even in his days, to be owing to the virtue of Lady Hilda's prayers, that birds, in flying over a certain tract of land adjoining to Streanſhalh, had not power to proceed any farther, but there fell down, to the great aſtoniſhment of all beholders; being drawn to the earth by ſome ſecret quality or property inherent in the ſoil, communicated to it by the fervent and zealous prayers of St. Hilda. Now, it is not to be doubted but this tract of land adjoins to the cliff on the eaſt ſide of the Abbey: But, whatſoever virtue or power it might poſſeſs in Hilda's or in Camden's days, nothing is more certain than that this is now all vaniſhed, and thoſe fields are at preſent no more than common ground; not one of the inhabitants of Whitby, in theſe our days, has ſo much as heard, much leſs knows, any thing of their being endowed with ſuch a miraculous power. Yet this we muſt own, that, in great ſtorms, the ſea-gulls, and other birds that uſually frequent the ſea, when much diſturbed with the vehemence of the wind, and raging waves of the ocean, are frequently ſeen to take their flight therefrom, and to alight in ſome of thoſe fields in great numbers; where they either

either ſit till the weather grows more calm, or elſe, after ſome little reſt, take wing again, and fly farther up into the country. Nor can this be thought a thing any ways extraordinary; ſince it is natural for all created beings, that we know of, to endeavour to avoid danger, and to provide for their own ſecurity; which is no more than what is the caſe, on ſuch occaſions, with theſe birds.

It muſt alſo further be owned, that, at a certain time of the year, birds of paſſage, and particularly woodcocks, are to be found in conſiderable flocks in theſe fields, and ſometimes even in the cliffs adjoining thereto; but, when we conſider that theſe birds have then had a flight of more than 300 miles, from Jutland, or the coaſt of Norway, and are much enfeebled and exhauſted before they reach the Yorkſhire coaſt, we need not be ſurprized at ſeeing them deſirous of reſt, or think it ſtrange when we obſerve them to alight in thoſe fields, or on any other ground they firſt come at; eſpecially as many of them are found unequal to the taſk, and are obſerved by our ſailors at ſea to drop down exhauſted and lifeleſs into the ocean, many miles from the land. Thoſe that are ſo fortunate as to reach the ſhore, ſtop in or near the cliffs, and generally continue there two or three days, before they recover ſtrength enough to fly any conſiderable way up into the country. Here it is they may at firſt coming be eaſily taken; and this I am perſuaded is the very thing that firſt gave riſe to our Monkiſh miracle, which it ſeems was not exploded in the days of Camden; about which, however, that learned antiquarian had a good opportunity for getting information, as he ſpent more than three weeks at Whitby, ſearching and examining the antiquities and records belonging to the Abbey.

I ſhall only produce one inſtance more of the great veneration paid to Lady Hilda, which ſtill prevails even in theſe our days; and that is, the conſtant opinion that ſhe rendered, and ſtill renders, herſelf viſible, on ſome occaſions, in the Abbey of Streanſhalh, or Whitby, where ſhe ſo long reſided. At a particular time of the year, (viz. in the ſummer months) at ten or eleven in the forenoon the ſun-beams fall in the inſide of the northern part of the choir; and 'tis then that the ſpectators, who ſtand on the weſt-ſide of Whitby church-yard, ſo as juſt to ſee the moſt northerly part of the Abbey paſt the north end of Whitby church, imagine they perceive, in one of the higheſt windows there, the reſemblance of a woman arrayed in a ſhroud. Though we are certain this is only a reflexion, cauſed by the ſplendor of the ſun-beams, yet fame reports it, and it is conſtantly believed among the vulgar, to be an appearance of Lady Hilda in her ſhroud, or rather in a glorified ſtate; before which I make no doubt the papiſts, even in theſe our days, offer up their prayers with as much zeal and devotion as before any other image of their moſt glorified ſaint.

Lady Hilda was not more remarkable for her piety and holineſs than ſhe was for her extraordinary knowledge and learning; for, notwithſtanding her ſex, ſhe was accounted the beſt ſcholar of the age in which ſhe lived. The finer arts and ſciences made Streanſhalh their particular retreat, and met with real encouragement from Lady Hilda to the utmoſt of her power. Her Nun-

nery became, like Kolmkill and Lindisfarne, a nurſery and ſeminary, whence the church was then, and for ſeveral ages after, ſupplied with many pious and learned teachers. No ſooner was ſhe eſtabliſhed as Lady Abbeſs at Streanſhalh, than Boſa left the place of his abode at Hartlepool, and deſired to be admitted as one of her diſciples. Here he long continued under her care, and profited ſo well by her inſtructions, that, in the year 678, the See of York being vacant, he was pitched upon by King Egfrid as the propereſt perſon at that time in his dominions to be made Archbiſhop of that place. Boſa did ſo much honour to the character which Lady Hilda had given of him to her ſovereign, that never any Archbiſhop filled the See of York with more dignity: He was, while living, revered by all, on account of his eminent virtues; and ever after his death conſidered as a ſaint, his name being ſtill to be found in our old Engliſh calendars.

Nor was Boſa the only prelate, remarkable for piety and learning, bred up under Lady Hilda; ſhe obliged thoſe under her direction to attend ſo much to the reading of the holy ſcriptures, and to exerciſe themſelves ſo much in the works of juſtice, that many might be found at Streanſhalh fit for the eccleſiaſtical function; that is, to ſerve at the Altar. In ſhort, five more Biſhops were afterwards taken out of that Monaſtery, all of them men of ſingular merit and ſanctity, whoſe names were Aetla, Oftſor, Tatfrith, John, and Wilfrid. The firſt of theſe was appointed Biſhop of Dorcheſter; and Oftſer having applied himſelf to the reading and ſtudy of the ſcriptures in both the Monaſteries of Hilda, at Hartlepool and Streanſhalh, being yet deſirous to attain a greater perfection, went into Kent to Archbiſhop Theodore, of bleſſed memory; where having ſpent ſome more time in ſacred ſtudies, he alſo reſolved to go to Rome, which in thoſe days was reckoned of great moment. Returning thence into Britain, he took his way into the county of Worceſter, where King Oſric then reigned, and continued there a long time, preaching the word of faith, and making himſelf an example of good life to all that ſaw and heard him. At that time Boſelus, the Biſhop of that province, laboured under ſuch weakneſs of body, that he could not himſelf perform the epiſcopal functions; for which reaſon this Oftſor was, by univerſal conſent, choſen Biſhop in his ſtead, and, by order of King Ethelred, conſecrated by Biſhop Wilfrid, of bleſſed memory, who was then Biſhop of Mercia, becauſe Archbiſhop Theodore was dead, and no other Biſhop ordained in his place. Before the aforeſaid man of God Boſelus, Tatfrith, a moſt learned and induſtrious man, and of an excellent wit, had been choſen Biſhop there, from the ſame Abbeſs's Monaſtery; but had been ſnatched away by an untimely death before he could be ordained. As for John, the fourth of the before-mentioned Biſhops, he was firſt conſecrated to the See of Hagulſtad, or Hexham, and afterwards tranſlated to the See of York, from whence, after he had preſided there for ſome years, he retired to Beverley, and lived a ſolitary life, dying with the greateſt and beſt of characters, and was afterwards canonized. He was ſucceeded as Archbiſhop of York by the before-mentioned Wilfrid, commonly called Wilfrid the younger, whoſe life was ſo remarkable for piety and holineſs, that he alſo after his death was canonized, and his name put into the calendar among the ſaints.

Beſides

Beſides theſe, many others of great note, both for erudition and holineſs of life, received their education under Lady Hilda: The arts and ſciences were ſo well cultivated and eſtabliſhed by her, that, for ſeveral ages after her death, Streanſhalh was regarded as one of the beſt ſeminaries for learning in the then known world. Hence it came to paſs that Alcuin, the greateſt philoſopher and divine of his age, who was born in the kingdom of Northumberland, and had his education in Yorkſhire, principally in the Abbey of Streanſhalh, after founding the univerſity of Paris, adviſed Charles the Great, then Emperor and King of France, *to ſend over ſome of the young nobility, born in his dominions, to that part of England, where they might receive a more polite, liberal, and learned education than was at that time to be had in France, and whence they might tranſplant the flowers of Britain,* (meaning ſuch books as they wanted) *that their fragrance might be no longer confined to Yorkſhire, but alſo perfume the palaces of Tours.*

Bede tells us, "That this ſervant of Chriſt, the Abbeſs Hilda, whom all that knew her called Mother, for her ſingular piety and grace, was not only an example of good life to ſuch as lived in her Monaſtery, but alſo afforded occaſion of reformation and ſalvation to many that lived at a diſtance, to whom the fame of her integrity and virtue was brought. When this Lady *(adds he)* had governed the Nunnery at Streanſhalh many years, it pleaſed the merciful Provider for our ſalvation to give her holy ſoul the trial of a long ſickneſs, to the end that, according to the Apoſtles example, her virtue might be perfected in infirmity: For, in the 60th year of her age, falling into a fever, ſhe was continually waſted with a violent heat, and never ceaſed to be afflicted with the ſame for the ſpace of ſix years; notwithſtanding which, during all that time, ſhe never failed either to return thanks to her Maker, or publicly and privately to inſtruct the flock committed to her charge; ſo that, by her own example, ſhe admoniſhed all perſons to ſerve God dutifully while in perfect health, and likewiſe to praiſe and humbly return him thanks when under any adverſity or bodily infirmity."

We have already obſerved that Lady Hilda erected a Monaſtery, or Cell, on Eſkdale-ſide, where a part of the Monks belonging to Streanſhalh conſtantly had their reſidence; but a ſolitary place was yet wanting, where ſhe herſelf, and ſome of the Nuns with her, might have a retreat: And this ſhe the rather wiſhed for, as the continual reſort of company that the fame of her character brought to Streanſhalh, much interrupted her devotion. After long conſidering the face of the country, ſhe was at length ſo much pleaſed with the ſituation of a low valley, near the extremity of the Abbey territories, about five miles from Scarbrough, a valley that was every where ſurrounded with hills, and theſe hills covered in a moſt delightful manner with wood, that ſhe formed a reſolution of there erecting a Nunnery, or Cell.

Though in a declining ſtate of health, Hilda carried this plan into execution, in the year 679; and, as ſoon as the Convent was properly fitted up, retired there herſelf, with eight or nine of the Nuns belonging to Streanſhalh; among whom was Bega, her particular favourite, who had been her conſtant companion from the time that ſhe firſt renounced the world, and took the

veil at Wearmouth. This place Hilda called *Hactenus*, on account of its being near the utmoſt limits of the church lands; but the common people, not at all acquainted with Latin, ſoon corrupted that word into *Hackneſs*, the name by which it has been known for now almoſt 1100 years.

Here, though in a deſart, ſhe enjoyed ſuch pleaſure and delight as the virtuous only know: A pleaſure, reſulting from meditation and prayer, which ſhe infinitely preferred to all the tinſell'd joys that pomp or grandeur could beſtow. She looked forward with redoubled joy towards the heavenly country whither ſhe was now approaching, and, inſpired with that conſcious innocence the practice of religion always affords its votaries, bore up under the pain and anguiſh of a long and tedious illneſs with the greateſt piety and reſignation; nor was ſhe ever more happy than when left alone, private and retired, ſecluded from the company and converſe of mortals; for then ſhe was more immediately under the divine influence of that ſpirit which deſcendeth from above, and, with its benign rays, chears and enlivens the ſouls of all good men.

In the ſeventh year of her ſickneſs, being at Streanſhalh, the diſtemper turned inwards, and ſhe came to her laſt day. About cock-crowing, having received the viaticum of the holy communion, ſhe called together the ſervants of Chriſt, that were within that Monaſtery, admoniſhing them to preſerve evangelical peace among themſelves, and with all others; and as ſhe was yet making her ſpeech, ſhe joyfully met death, or, to ſpeak in the words of our Lord, paſſed from death to life. "That ſame night *(ſays Bede)* it pleaſed the Almighty Lord, by a manifeſt viſion, to make known her death in the Monaſtery of Hakenes. For a certain Nun there, called Bega, (who, having dedicated her virginity to God, had ſerved him upwards of thirty years in monaſtical converſation) being then in the Dormitory of the Siſters, all on a ſudden heard the known ſound of a bell in the air, which uſed to awake and call them to prayers, when any of them was taken out of this world: When opening her eyes, ſhe ſaw, as ſhe thought, the roof of the houſe laid open, and a glorious light coming in through the top of the ſame; at whoſe luſtre being aſtoniſhed, while ſhe ſtedfaſtly looked thereon, ſhe ſaw the ſoul of the aforeſaid ſervant of God aſcend to heaven in that ſame pillar of light, attended and conducted by angels. After which awaking, and ſeeing the other ſiſters lying about her, ſhe perceived that what ſhe had ſeen was ſhewn her either in a dream or a viſion: Therefore riſing immediately, in a great fright, ſhe ran to the virgin who then preſided in that Monaſtery in the Abbeſs's ſtead, (her name being Frigyth) and ſhedding abundance of tears, ſhe ſighed, and told her, that their Abbeſs, Lady Hilda, the Mother of them all, was departed out of this world, and had in her ſight aſcended to eternal bliſs, and to the company of the heavenly citizens, ſurrounded with a glorious light, and conducted by angels. Frigyth, having heard this, awaked all the ſiſters, and calling them to the church, admoniſhed them to pray and ſing pſalms for her ſoul; which they having done during the remaining part of the night, the brothers came in the morning by break of day, from the place where ſhe deceaſed, with advice of her death. The ſiſters anſwered, they had known the ſame before; and then related how and when they heard it; by which

which it appeared that her death had been ſhewn to them in a viſion at that very inſtant when the others ſaid ſhe departed this world. Thus it was by heaven happily ordained, that wher ſome ſaw her departure out of this world, others ſhould be acquainted with her admittance into the eternal life of ſouls. Thoſe Monaſteries are about thirteen miles diſtant from each other. It is alſo reported that her death was made known in a viſion to one of the virgins devoted to God, who loved her moſt paſſionately, and lived in the ſame Monaſtery where this ſervant of God died. This Nun ſaw the ſoul aſcend into heaven with angels; and this ſhe declared, the very ſame hour it happened, to thoſe ſervants of Chriſt that were with her; and awaked them to pray for her ſoul, even before the reſt of the congregation had heard of her death. The truth of this was known to the whole Monaſtery in the morning; and the aforeſaid Nun was known at that time to be, with ſome other ſervants of Chriſt, in the remoteſt part of the Monaſtery, where the women newly come to converſion uſed to be upon trial, till ſuch time as they were regularly inſtructed, and admitted into the ſociety of the congregation."

"Thus died that moſt religious ſervant of Chriſt, Hilda, Abbeſs of Streanſhalh, after having performed many heavenly works. She paſſed from hence, to receive the rewards of the heavenly life, in the year of our Lord's incarnation 680, on the 15th day of the kalends of December, *(the 17th day of November)* at the age of 66 years; the which ſhe equally divided, ſpending the firſt thirty three by living moſt nobly and royally in a ſecular habit, and the other thirty three ſhe more nobly dedicated to our Lord in a monaſtic life."

But notwithſtanding this account of Bede's, the church of Rome has always obſerved, and ſtill continues to obſerve, the feſtival of Hilda's tranſlation on the 15th day of December. Whence this difference ariſes between Bede and the church of Rome we ſhall leave others to determine, and here only obſerve, that though we diſpute the reality of thoſe viſions recorded by our venerable author, yet the opinion of Hilda's ſanctity remains equally authenticated: All poſſible veneration has ever been paid to her memory; and the Engliſh nation ſpontaneouſly dignifying her with the title of Saint, is a more certain teſtimony of the public reſpect, and likewiſe of the real merit of Hilda, than if ſhe had been canonized by the Bulls of every Biſhop and Pontiff that has filled the See of Rome; ſince the honours they confer are often proſtituted, and beſtowed upon the worthleſs or irreligious, entirely on account of promoting the intereſt of the Papal See; while perhaps the lives of thoſe mock-ſaints, when nearly ſcrutinized, appear, like Anſelm's and Becket's, full either of bigotry or rebellion. The name and memory of ſuch, notwithſtanding all the efforts and endeavours of Rome, ſhall rot and periſh in oblivion; while that of Hilda, and of others who are like her dignified and rendered illuſtrious by their virtues, ſhall flouriſh like the palm-tree, and ſtill be held dear among us, while any traces of the chriſtian religion remain: Still ſhall ſhe retain the title of Saint; and ſtill ſhall future ages, reverencing the name of Hilda, delight to call their infant offſpring after her, and fondly recount to them, while young, the many wonders and miracles of her life.

Lady

Lady Hilda was interred in St. Peter's church at Streanſhalh, near the remains of the Northumbrian Kings; and the Princeſs Elfleda, daughter of King Oſwy, and ſiſter to Egfrid, who then ruled the kingdom of Northumberland, ſucceeded as Lady Abbeſs in her ſtead. Elfleda was now twenty ſix years of age, and had profited ſo well under the care and ſpiritual admonitions of Hilda, that though by no means equal to her in genius, and conſequently much leſs accompliſhed as a ſcholar, yet was ſhe nevertheleſs remarkable for her many ſingular virtues and great holineſs of life. In the beginning of her reign ſhe was much aſſiſted by her mother Eanfleda, who had already lived ten years in the Monaſtery at Streanſhalh under the direction of Hilda, much reſpected by all, and poſſeſs'd of every virtue that could render her illuſtrious as a chriſtian or a queen dowager.

On the death of Oſwy, his eldeſt ſon Egfrid had ſucceeded to the throne of Northumberland; and he, whether dazzled with glory, or infatuated with a notion of enlarging his dominions, it is not eaſy to ſay, took up arms againſt the innocent and peaceable nation of the Picts, who were his next neighbours to the northward; but he paid dear for his injuſtice and raſh conduct; for, having entered the territories of that people, he was attacked by them in a certain ſtrait, ſo much to his diſadvantage, that himſelf, and almoſt his whole army, was ſlain upon the ſpot, on the 13th of the kalends of June, anno 685. On which the conquerors advancing to the ſouthward, took poſſeſſion of all that part of Northumberland which lay near Edinburgh, the Engliſh every where retiring before them. Among others, "The reverend man of God, Trumwin, who had been made Biſhop there, fled away, and took with him his people that were in the Monaſtery of Aberćurnig, *(Abercorne)* ſituate in the country of the Engliſh, but cloſe by the Gulf of Bodotria, or that arm of the ſea which is the boundary between the Engliſh and Scots. He, having recommended his followers whereſoever he could, to his friends in the Monaſteries, choſe a place of reſidence for himſelf, and a few of his people, in the oft-mentioned Monaſtery of men and women ſervants of God at Streanſhalh; where, for ſeveral years, he led a life in all monaſtical auſterity, not only to his own benefit, but alſo to that of many others. The royal virgin Elfled, with her mother Eanfled, then preſided over that Monaſtery; but this pious Biſhop coming thither, the devout Lady found in him an extraordinary aſſiſtance in helping to govern, as well as comfort and eaſe to herſelf. Finally, dying there, he was buried in the church of St. Peter the Apoſtle, with all the honour due to his rank and life," as we are informed by the venerable Bede, lib. iv. cap. 26.

After the death of Biſhop Trumwin and her mother Eanfled, the Princeſs Elfleda continued to preſide alone in the Monaſtery, or Nunnery, at Streanſhalh, where ſhe kept ſuch good rule and order that religion flouriſhed, and the arts were patronized by her. Nor do we find that any extraordinary occurrence or great change happened there before the year 714, when "at the age of ſixty years, *(as Bede tells us)* this bleſſed virgin departed to the nuptials and embraces of her heavenly bridegroom; being buried there in the church

church of the holy Apoſtle Peter, where her father Oſwy, and her mother's father Edwin, and alſo many other venerable perſonages, lie entombed."

About the year 756 Edbert King of Northumberland reſigned his crown to his ſon Oſulph, and retired into the Monaſtery of Streanſhalh, where he ſpent the remainder of his days in acts of piety and devotion, and where at his death he was buried, as we are informed by William of Malmeſbury, at page 20 of his hiſtory.

After the death of Edbert, thoſe refined notions of piety and religion, which had till then always prevailed in the Abbey of Streanſhalh, began gradually to decay; the zeal of many grew lukewarm, and even Monks and Nuns repoſed their hopes of ſalvation, not in the practice of good works, but in making auricular confeſſions, and in obtaining abſolutions and benedictions from the See of Rome. However corrupt their lives were, they ignorantly believed that the Pope had abſolutely a power to forgive them their ſins, and at their death to enſure them in the poſſeſſion of the kingdom of heaven. This made them remiſs and careleſs in practiſing the duties of religion, and inſpired them with an opinion that if they could only get to Rome before they died, and there procure abſolution and benediction from the Papal See, all would be well, however enormous their offences had been. Hence aroſe pilgrimages without number from all parts of England, and particularly from the kingdom of Northumberland; hardly any thought their ſalvation enſured who had not viſited Rome, and procured the bleſſing of that Pontiff, who alone was ſuppoſed to have in his cuſtody the keys of the kingdom of heaven. The roads every where ſwarmed with Engliſh pilgrims; and not only men, but women alſo, particularly Nuns, were poſſeſſed with this enthuſiaſtic zeal, while they lived ſuch debauched and ſcandalous lives, that Boniface, Archbiſhop of Mentz, being offended thereat, wrote an epiſtle to Cuthbert, Archbiſhop of Canterbury, complaining, "That the Engliſh Nuns, wandering in pilgrimage to Rome, under ſhew of devotion, lived in wanton dalliance, and filled all France and Lombardy with their fornications." And again, in another epiſtle to one of our Saxon Kings, after finding fault with their adulterous lives, he ſays, "That Nuns, as well as others, deſtroyed their children, born out of wedlock, whereby the graves were filled with dead bodies, and hell itſelf with damned ſouls."

Nor is this the earlieſt account we have of the lewd behaviour of the Nuns; for long before this, viz. about the year 700, Bede tells us, "That after the death of the Abbeſs Ebba, the Monaſtery of Coludi, *(or Coldingham)* ſituate on the north ſide of the Tweed, was burnt down by fire, which *(ſays he)* was a judgment ſent upon the Nuns from heaven, for their diſſolute and diſorderly behaviour; who, after being admoniſhed by that ſincere ſervant of God, Adamannus, continued nevertheleſs to indulge carnal pleaſures, regardleſs of the ſervice of Almighty God, and the vows they had made to live in perpetual virginity." But this judgment was little regarded; for not only the Monks and Nuns, but even the whole nation of Northumberland ſeemed to have loſt all ſenſe of religion, giving themſelves up to all manner of wickedneſs. What wonder then if the avenging hand of heaven ſent upon a people, thus diſſolute

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and lewd, ſcourges, either to reform their impieties, or to root them out from the face of the earth. After long feeling all the horrors of a civil war, where there were many competitors for the crown, the Danes and Norwegians were let looſe upon them, at that time wild, fierce, and ſavage nations, as well as idolatrous heathens, whoſe rovers, allured by the hopes of booty, in a piratical manner made frequent deſcents upon the Engliſh coaſt, where they not only plundered the miſerable inhabitants, but alſo diſtreſſed and diſturbed the peace of all ſuch religious houſes as they met with.

During the courſe of theſe civil wars, ſome little time before the year 800, one of the chief leaders or heads of the faction againſt the government was Duke Wada, who lived in the neighbourhood of Streanſhalh, having his caſtle at the place now called Mulgrave. This Wada was one of the principal conſpirators among thoſe that murdered Ethelred, King of Northumberland; and afterwards joining the confederates with what forces he could raiſe, gave battle to his ſucceſſor Ardulph, at Whalley in Lincolnſhire; but with ſuch ill fortune, that his army was routed, and himſelf obliged to fly for it. On which he fortified his caſtle at Mulgrave, with an intention to defend himſelf; but being ſeized with a certain diſtemper, he ſoon after ended his days, and was interred there on a hill, between two hard ſtones, about ſeven feet high, which being twelve feet diſtant from each other, gave riſe to a current report, which ſtill prevails, that he was a giant in bulk and ſtature. And ſo far have the common people been infatuated with this opinion, that they now ſhew ſuch as viſit the remains of that caſtle a huge bone, which they affirm to be one of the ribs of Bell Wade's cow; believing her, as well as her owner, to have been of an enormous ſize. But to me this appears a mere fiction; for the bone now preſerved there has doubtleſs belonged to ſome fiſh, probably a whale; though ſuch a ſuggeſtion is by no means agreeable to its preſent poſſeſſors.

Many generations after this, Peter de Malo Lacu, commonly called Peter de Mauley, a native of Poictou in France, in the reign of King Richard I. marrying here in England the only daughter of Robert de Turnham, obtained by her the large inheritance which had formerly belonged to Duke Wada; but the caſtle being grown ruinous and decayed, he built the ſame a-new, and, when finiſhed, it appeared in his eyes ſo beautiful a fabric that he named it Moultgrace: However the neighbouring inhabitants, finding it a great grievance, by the change of one ſingle letter, called it Moultgrave; by which name, and no other, it has ever ſince been known. This caſtle and eſtate was enjoyed by ſeven Peters, Lords de Malo Lacu, ſucceſſively, who bore for their arms a bend Sable in an eſcutcheon Or: But at laſt, the ſeventh Peter dying without iſſue, the inheritance was parted by his ſiſters between the knightly families of the Salvains and Bigods. It afterwards paſſed through ſeveral families; and at laſt, about the year 1625, deſcended to Edmund Lord Sheffield of Butterwick, Lord Preſident of the north, who was created Earl of Mulgrave by King Charles I. anno 1646: And his great-grand-ſon, John Sheffield Earl of Mulgrave, being Lord Privy Seal, was by Queen Ann, in the year 1703, created alſo Duke of Buckingham and Normanby. But

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the male heirs of that family failing, a leaſe of the Mulgrave eſtate was afterwards let by King George II. to the Honourable Conſtantine Phipps, a deſcendant or near relation of the Angleſey family, who was by King George III. in the year 1767, created Lord Mulgrave; and he, finally, in the year 1774, for the ſum of 30,000l. had the ſame confirmed to him and his heirs, on agreeing to pay the Government yearly a quit-rent of 1200l.

But it is time for us now to return from this digreſſion, and to relate the tranſactions of the Danes and Norwegians; whoſe firſt attempt againſt the kingdom of Northumberland was anno 794, when, landing at Lindisfarne, they plundered and burnt the Monaſtery there; after which, ravaging the adjoining coaſt and country all round, they collected what booty they could get, retired therewith to their ſhips, and put to ſea again, without any interruption. Encouraged by this ſucceſs, another band of theſe pirates arrived next year in the mouth of the Tyne, and, landing three or four miles up the river, ſacked and plundered the Monaſtery of Jarrow, and then ſpread themſelves all over the country, with a deſign to ſeize and carry away every thing they met with that was valuable; but they had not advanced far before they fell in with Ethelred, King of Northumberland, who, aſſiſted by the King of Mercia, handled them ſo roughly, that they quitted moſt of their prey, and fled in great confuſion to their ſhips; when, putting to ſea, they were overtaken by a violent ſtorm of wind, in which all or moſt of them periſhed on the Engliſh coaſt.

This gave the Northumbrians ſome repoſe; for tho' thoſe rovers, allured by the hopes of prey, landed time after time in ſeveral parts of England, yet they ſeem not much to have infeſted any of theſe Provinces north of the Humber before the reign of Redowald, anno 845, when they arrived in ſuch numbers on our coaſts, that they ventured to give that Monarch battle, ſlew him in the field, entirely routed his army, and then retired to their ſhips with much plunder and booty.

After this we have no further accounts of the Danes arriving in any conſiderable body in Northumberland before the reign of Oſbert; who, by the unanimous conſent of all factions, was placed on the throne, anno 865, and might probably have reſtored the kingdom of Northumberland to its antient ſplendor and dignity, if an unforeſeen accident had not created diſſenſions, and brought deſtruction, not only on the Northumbrians, but alſo on the whole Engliſh nation. As this was fatal in the laſt degree to Streanſhalh, and its Abbey, which was then in a flouriſhing condition, I muſt beg the reader's leave to relate it here in a more particular manner.

Oſbert, who kept his court at York, returning one day from hunting, ſtopp'd to refreſh himſelf at the houſe of a certain Earl named Bruern Bocard, guardian of the ſea-coaſts againſt the invaſions of the Danes. The Earl happened to be from home; but the King was received with the utmoſt civility and reſpect by his Lady, whoſe beauty and engaging behaviour had ſuch an effect on her Sovereign, that he reſolved at any rate to enjoy her. For this purpoſe, under pretence of communicating ſome matters of importance, he retired with her into a private room, where he firſt endeavoured by ſoft perſua-

ſions to make her comply with his deſires; but theſe proving ineffectual, he made uſe of violence. Neither entreaties, tears, or reproaches, could put a ſtop to his raging paſſion. After the commiſſion of this infamous action, he left the Counteſs overwhelmed with grief, anguiſh, and ſorrow; in which condition her huſband found her at his return. So outrageous an affront is ſeldom forgiven; Bruern uſed all his intereſt with the Northumbrians to make them rebel, and prevailed ſo far with the Bernicians, that in a little time they revolted; and, thinking Oſbert no longer worthy to govern them, elected another King, named Ella, (who is believed to have reſided at Ellewick, about eight miles to the northward of Stockton). Him they placed on the throne of Bernicia; and, the better to ſupport him, uſed their utmoſt efforts to diſtreſs Oſbert. Many were the attempts made by theſe two Kings to decide their quarrel by the ſword, but all in vain; for their power was ſo equally balanced, that Oſbert ſtill kept poſſeſſion of the kingdom of Deira; on which Bruern, judging his revenge incomplete while his enemy continued upon the throne, reſolved to go and ſolicit aſſiſtance from the Danes. Accordingly, on his arrival in Denmark, he applied to Hungar, who was at that time a Prince, or King, of great fame in that nation, informing him how eaſily he might make himſelf maſter of the kingdom of Northumberland, on account of the diſtracted ſtate of affairs which then prevailed there; and that he himſelf, without running him into any conſiderable danger, would venture to ſhew him the way to victory, to conqueſt, and to glory.

Hungar very readily entered into the ſcheme of propoſals made to him by Bruern; and the rather ſo, as he was prompted thereto, not more by ambition than a ſpirit of revenge. Some years before this, his father Lodebroc, having been taken priſoner in England, was thrown into a ditch full of ſerpents, where he miſerably periſhed. Hungar conſidered that as an act of cruelty not to be forgiven; it rouſed all his indignation, and filled him with more than ſavage fury; ſo that he gladly embraced this opportunity of wreaking his vengeance on the Engliſh nation. He was ſome time in concerting meaſures with Bruern; after which he fitted out a numerous fleet, collected a great army of adventurers, and, attended by his brother Hubba, the moſt valiant captain of that age, ſet ſail for England in the ſpring of the year 867. As the Northumbrians had no intelligence of this expedition, they had made no preparations to defend themſelves, and the Danes landed without oppoſition near Streanſhalh, in two diviſions. The firſt diviſion, commanded by Hubba, diſembarked in Dunſley-Bay, about two miles to the weſtward of Streanſhalh, where they erected their ſtandard, the raven, on an eminence or riſing ground, which has ever ſince been known by the name of Ravenhill: While the other diviſion, under Hungar, made their landing good at Peak, about ſeven miles to the eaſtward of Streanſhalh, where, on the top of a very high cliff or hill, they erected another ſtandard or flag, with a raven pourtrayed thereon, which might be ſeen all the country round; which hill is to this day alſo known by the name of Ravenhill *.

This

* In the year 1774, Captain Child's workmen, on digging for the foundations of Ravenhill-Hall,

This pagan hoſt, like a whirlwind, ſpread deſolation over all the country round, plundering or deſtroying every thing that came in their way; ſetting fire to the houſes, raviſhing the women, murdering the men, and exerciſing every other act of wanton barbarity they could invent: No ſex or age eſcaped

 their

Hall, near the place where it is believed this flag ſtood, met with a ſtone, at the bottom of ſome ruins, on which is the following inſcription:

Length twenty-two inches.

Which inſcription I am of opinion ought to be read as follows, viz. "Juſtinianus, Pater patriæ, Vindelicianus, Mauritanus, Africanus, Sarmaticus, Britannicus, Imperator excellentiſſimus Romanorum, quater Prætor, Maritimum Caſtrum effecit, ad navigantium opus." Which may be thus Engliſhed,——"Juſtinian, the Father of his country, the Conqueror of the Vandals, Moors, Africans, Sarmatians, and Britons, the moſt excellent Emperor of the Romans, four times Prætor, built this Maritime Caſtle for the uſe of navigation."

This Stone ſeems to have been the foundation-ſtone of a fort, or caſtle, built during the reign of the Emperor Juſtinian, for the protection of the ſea-coaſt here in Yorkſhire; and, by its ſituation on a promontory, or head-land, which may be ſeen at a grent diſtance, ſeems alſo to have been intended for a watch-tower, or light-houſe, to direct ſhips at ſea to ſteer a proper courſe, either for that place, for Flambro' Head, or for Whitby harbour. It has been built on a ſquare plat of ground, each ſide thereof extending about thirty yards in length, and probably continued ſtanding there on the coaſt till the arrival of Hungar and Hubba, who demoliſhed it, that it might be no impediment to them afterwards on their march into the interior parts of Britain. Whether the model thereof was taken from the watch-tower at Streanſhalh, or that at Streanſhalh was really taken from this, ſeems difficult for us now to determine; for, notwithſtanding what I have already obſerved at page 7, it is poſſible they might both be the work of the Romans.

And here I cannot help animadverting on the great miſtake that all our hiſtorians have fallen into, who ſuppoſe, with Gildas and Bede, that the Romans entirely quitted Britain, never more to return, about the year 426 or 427; ſeeing this ſtone and caſtle plainly prove that they were there

their fury; and the ſea-coaſt, for many miles round their camp, appeared like one continued wilderneſs, without houſe or inhabitant. Midſt this general devaſtation, the Town and Abbey of Streanſhalh experienced their vengeance, where every Monk that fell into their hands was put to the ſword, and every Nun they met with was firſt deflowered, and then generally afterwards put to death in cold blood. It is true Titus the Abbot, and ſome of the Monks, on the firſt news of their landing, collected the reliques of St. Hilda, with which, and ſome other valuables, they made their eſcape, and fled to Glaſtenbury; but the whole community that remained was either deſtroyed, or diſperſed in a few days after the arrival of the Danes. Theſe ſavages met with a conſiderable booty in the Abbey, which they carried off; and afterwards, in contempt of every thing ſacred and divine, ſet fire to that magnificent and beautiful edifice, by which it was laid in ruins, and rendered unfit for the ſervice of Almighty God. Not content with this, they ſacked and plundered the town, and then ſet fire to that alſo. The watch-tower likewiſe, that had ſtood there more than four hundred years, and was, ſince the Daniſh invaſions, uſed as a place for making ſignals to alarm the country on the arrival of theſe barbarians, was now wholly pulled down and razed *. In ſhort, every thing was ſo entirely demoliſhed and deſtroyed, that the very name of Streanſhalh was loſt in its ruins, and that place never more had any exiſtence in the kingdom of Northumberland, but continued a heap of rubbiſh, deſolate and uninhabited, till near the time of the Norman Conqueſt, when a few huts, or ſorry cottages, were erected in the place where that town had formerly

there above a hundred years after that period, viz. in the reign of the Emperor Juſtinian, who held the empire from the year 527 till the year 566. We will indeed readily allow that, before the arrival of the Saxons, the Romans withdrew all their forces out of Britain; but no ſooner did Juſtinian aſſume the reins of government, than, by means of Beliſarius, Narſes, and his other victorious Generals, he extended the Roman empire to its antient limits, and even took in Britain, as this ſtone makes it demonſtrably appear. Nay further, if we allow B in the aforegoing inſcription to ſtand for Britannicus, we muſt own him to have been maſter of the whole iſland, and that both the Britons and Saxons were his vaſſals. Nor can I forbear obſerving, that all the mighty feats and heroic actions which our hiſtorians fabulouſly aſcribe to the Britiſh King Arthur, were, in my opinion, really the performances of the old Romans; and that it was not Arthur, but this warlike people, which reduced theſe new-comers, the Saxons, to ſo low an ebb; from which ſervile ſtate, however, they ſoon recovered themſelves after the death of Juſtinian; for the Roman empire falling again into diſtraction, their garriſons were withdrawn from Britain, and the Saxons once more became maſters of all they formerly poſſeſſed in England.

This caſtle on Ravenhill ſeems to have been built in, or ſoon after, the year 534; for in that year it is certain Juſtinian was the fourth time Conſul, and moſt probably Prætor alſo, ſince theſe two dignities had then for many ages been almoſt always united together at Rome.

As for the Green-Dyke, on the top of Stoupe-Brow, which is at no great diſtance from this caſtle, and which I have formerly thought to have been alſo a work of the Romans, raiſed about this period of time, on account of its antiquity, mention being made thereof in our records at the Conqueſt; I am induced, upon a nearer examination of that Dyke, to be of a different opinion, and now believe that, notwithſtanding its antiquity, it is no more than a bounder fence, and was originally thrown up as ſuch between Whitby-Strand and Pickering-Foreſt.

* This watch-tower moſt probably ſtood near the extremity of the cliff, on the eaſtern ſide of the harbour; and if any remains thereof were left by this pagan hoſt, they have moſt aſſuredly fallen, with the cliff on which they ſtood, into the ſea ſeveral centuries ſince; no traces or veſtiges of this once noted building being now to be met with.

merly ſtood, which took the name of Preſteby, from their being in the neighbourhood of that place where the Prieſts or Monks had formerly reſided: But theſe were ſo very inconſiderable, that neither the names of Streanſhalh, Preſteby, or Whitby, are to be met with in Doom's-Day Book,* wrote in the reign of William the Conqueror; though Egton, Sneton, Dunſley, Newham, Stakeſby, and ſeveral other villages in the neighbourhood of Whitby, are particularly to be found there.

* They are all three to be found there. See Domesd. tom. i. fol. 303 b. 305 a.

No accounts remain of the Abbeſſes of Streanſhalh after the death of the Princeſs Elfleda, nor are even their names to be met with in any hiſtorian that I know of; only, as Titus is recorded to be Abbot at the time of the deſtruction of the Monaſtery, it ſeems reaſonable to believe that, on account of the irregular lives of the Nuns hinted at before, it had been found neceſſary to abridge their power, to remove the Lady Abbeſs, and to ſubſtitute an Abbot in her room.

Before I conclude this book I muſt beg the reader's leave again to return to the Danes, and to give a brief account of the further ravages made by them. Oſbert and Ella, the two Kings of Northumberland, ſenſible of the impending danger, agreed for the preſent to lay aſide all animoſities, to aſſemble each an army, and with joint forces to uſe their utmoſt efforts to repulſe the common enemy. The terror and aſtoniſhment which the barbarities of the Danes had raiſed all over Northumberland was of great ſervice for increaſing the armies of theſe two Princes, the inhabitants from the country every where flocking to their camps, as the only places of refuge where they looked upon themſelves as ſecure. Hungar, informed of theſe preparations, and conducted by Earl Bruern, led on his troops towards York, where Oſbert had ſhut himſelf up, and waited the arrival of Ella. But the Danes, on their approach, committed ſuch unheard-of cruelties, that Oſbert, no longer able to contain his indignation, and eager to revenge the injuries of his country, immediately ſallied out of York with ſuch impetuoſity, that he put the Daniſh hoſt into diſorder, and preſſing forward, in hopes of gaining a compleat victory, he was at laſt overpowered with numbers, and his army began to retire in their turn; but Oſbert, diſdaining an inglorious flight, endeavoured to reſtore the battle, and, while fighting valiantly in the foremoſt ranks, as a common ſoldier, he was there ſlain; on which his troops being diſpirited, fled in much confuſion into York, where they did not long remain ſecure; for Hungar ſetting fire to part of the city, great numbers of them periſhed in the flames. Thoſe that were lucky enough to eſcape, fled to join the army of Ella, who was now approaching at no great diſtance, and vainly hoped to retrieve the ſhattered affairs of his deceaſed ally, and to enjoy the whole kingdom of Northumberland without a competitor. The Danes, apprized of his coming, marched out of York to give him battle; when both armies, inſpired with a mutual animoſity, fought with great obſtinacy for ſome time; but the fate of Northumberland was now to be determined in favour of the Danes. Ella at length falling, a great carnage enſued among his troops, and the Danes obtained a compleat victory. The place where this battle was fought was henceforward called Ella's-Croft, by which name it is ſtill known; and Ella being found among

among the wounded, not yet lifeleſs, Hungar, to retaliate the cruelty he had exerciſed towards his father, Lodebroc, ordered him to be flea'd alive. After this, he detached his brother Hubba to the northward, with a choſen band of troops, entirely to ſubdue and take poſſeſſion of the kingdom of Northumberland; while he, with the main body of the army, marched away to the ſouthward, and by degrees prevailed ſo far that the greateſt part of England ſubmitted to him.

Hubba, in his march to the north, ſeemed to carry with him a fixed reſolution of extirpating the chriſtian religion, and ſubſtituting in its ſtead the pagan rites and ceremonies practiſed by him and his ſavage hoſt. From one end of Northumberland to the other, neither Abbey, Monaſtery, Nunnery, Church, or religious Houſe of any kind was left ſtanding; they were firſt plundered, and then generally thrown down and raſed. Many other cruelties and barbarities were likewiſe practiſed among the miſerable inhabitants; the whole country was filled with deſolation, the women were raviſhed, the men were murdered, and every thing they poſſeſſed was carried off by rapine and plunder. I cannot better repreſent the diſpoſition of theſe lawleſs banditti, than by ſhewing their behaviour at Coldingham Abbey, ſituate in the Merſe, on the north ſide of the Tweed; where Ebba the Abbeſs, and her Nuns, to avoid their deteſted embraces, cut off their noſes and upper lips. The Danes, at their arrival, being diſappointed in their expectations, and ſhocked at ſuch monſtrous viſages, were inſpired with more than ſavage barbarity: They carefully collected the whole ſiſterhood, thruſt them into the Nunnery, and then ſetting fire to that antient edifice, reduced both it and the Nuns contained therein to aſhes.

The power of the Northumbrians being thus entirely broken, theſe newcomers next began to take poſſeſſion of their conqueſts; and, that they might live in affluence and eaſe, they endeavoured to enjoy the fruits of the labour of the old inhabitants, whom they kept low, and conſidered as deſpicable ſlaves, making them till the ground, and perform every other office of drudgery which tyranny or lawleſs power could ſuggeſt, while they were particularly careful to hinder the chriſtian religion from any more gaining ground, or having any form of worſhip prevail beſides that which they had imported into Britain with them. However, after a reſidence of ſome years, and frequently intermarrying with the old natives of Northumberland, they began to loſe much of their uſual ferocity: The climate inſenſibly ſoftened their diſpoſition; and though they generally retained the commanding power till the year 1041, yet they were then no longer the original ſavages that firſt invaded Britain, but ſo mixed and incorporated with the Engliſh, that when the Daniſh race of Kings failed in Hardicanute, they willingly and readily ſubmitted to the Saxon line, when reſtored in the perſon of Edward the Confeſſor, under whom they lived peaceably and quietly, and were henceforward no longer to be any ways diſtinguiſhed from the old inhabitants or Saxon ſubjects of Britain.

During this long period of ignorance and barbarity, all learning was neglected, genius lay uncultivated and unregarded, the arts and ſciences were forgot,

forgot, and religion never once dared to rear her head: Few churches were rebuilt, and theſe only covered with hurdles or ſtraw: No Monaſteries were founded, the common people never heard of the name of a Monk, and ſeemed frightened at the very habit: In ſhort, the nation of Northumberland was in a great meaſure without any religion at all, from the arrival of Hungar and Hubba, till after the time of the Norman conqueſt.

THE END OF THE FIRST BOOK.

Ja: Hutchinson Delin.t

Ja: Taylor Sculp.t

THE SOUTH EAST PROSPECT OF WHITBY ABBEY. 1773.

HISTORY
OF
WHITBY.

BOOK II.

Containing the Hiſtory of Whitby, and Whitby Abbey, from the Norman Conqueſt, to the Diſſolution of the Monaſtery.

NO ſooner was William, Duke of Normandy, ſeated on the throne of England, than the face of affairs all over this nation began to appear with a new luſtre, more particularly in theſe provinces north of the Humber, where the common people for 200 years had lived without churches, without eccleſiaſtics, and almoſt without any religion at all. The Conqueror, it is true, cantoned out and divided the greateſt part of the kingdom among his Norman followers, on whom he could have more dependence than on the old inhabitants, who ſeemed at firſt little ſatisfied with their new maſters: But theſe ſtrangers, as well as their leader, were not entirely without devotion; they ſeemed to have a particular pleaſure in building Churches and founding Monaſteries, which was at that time the prevailing paſſion, not only in France, but alſo in moſt other chriſtian countries. William led the way, and ſhewed them an example, by firſt founding Battle Abbey, where he had fought for and won the crown of England; and afterwards (anno 1069) the Abbey and Monaſtery of Selby in Yorkſhire, in which his youngeſt ſon Henry was ſoon after born. The Norman Lords alſo, in imitation of their Sovereign, time after time, ſhewed their regard for religion, by repairing or new-building Churches, Monaſteries, and Religious Houſes, in thoſe ſeveral places where the eſtates aſſigned them by the Conqueror lay; ſo that even that part of England ſituate beyond the Humber began inſenſibly to have the appearance of a chriſtian country.

Among the Normans of note that came into England at the conqueſt was Hugh, ſurnamed *Lupus*, nephew to the Conqueror, and afterwards made by

him the firſt Earl of Cheſter; as alſo William de Percy, ſurnamed * *Aſgernuns*, anceſtor of the preſent noble family of Northumberland; and Serlo de Percy his brother. Theſe two laſt got the name of Percy from a village, or little town, in Normandy, of which their anceſtors were Lords; and they ſeem to have been of conſiderable rank before their arrival in England, inaſmuch as Serlo, the younger brother, was the tutor, or (as ſome will have it) the ſchool-fellow and companion of William Rufus, ſon of the Conqueror, who was, after his father's death, King of England.

At the time of the conqueſt, anno 1066, Whitby, Whitby-Strand, and many other large poſſeſſions to the northward of the Humber, belonged to a Yorkſhire Earl, called Goſpatric, who, after the battle of Haſtings, not chooſing to ſubmit to the Conqueror, fled away into Scotland, and lived there ſome years in exile: But his Yorkſhire poſſeſſions were given away to the Normans; particularly, the port of Whitby, and all the land in Whitby-Strand, belonging to Goſpatric, was aſſigned over by Duke William to the aforeſaid Hugh Lupus; who, little pleaſed with the barrenneſs of the ſoil, and unfavourable ſituation of the place, as being in a manner ſeparated by wild moors from all the reſt of England, ſome time after being in poſſeſſion, diſpoſed of all or moſt of this land to his friend and aſſociate William de Percy; and he, though he had very conſiderable poſſeſſions in other parts of England, built nevertheleſs two ſeats upon this eſtate, where he ſometimes uſed to reſide, viz. one at Sneton, and the other at Hackneſs.

In the year 1069, the Danes having landed in England, Waltheof, Goſpatric, and ſeveral other of the exiled Lords, joined them near York, with a great number of armed men. After burning York Minſter, with a choice library of books belonging thereto, and a great part of the city, they took the ſame by aſſault, and put the Norman garriſon there to the ſword. King William haſting down to the northward with an army, gave the confederates battle, whom he routed; and afterwards ravaging the whole country, retook the city of York by ſiege, when he very ſeverely puniſhed, not only the rebellious officers and ſoldiers, but alſo the citizens: Only he received into his ſpecial favour the Governor Waltheof, on account of his ſingular valour; and, at the interceſſion of William de Percy, was pleaſed alſo to pardon Earl Goſpatric, (whoſe daughter Emma that nobleman had juſt taken to wife) and with great liberality again reſtored him a conſiderable part of his former eſtate. This Lady Emma, about the time of her marriage, took the name of Emma de Port, which I conceive was from her being Lady or Miſtreſs of the port of Whitby, near which ſhe then lived.

In the year 1074, three Benedictine Monks, called Aldwine, Alfwine, and Reinfrid, belonging to the Abbey of Eveſham, in Worceſterſhire, being deſirous to reſtore religion in the province of Northumberland, came unto York, and there deſired of Hugh Fitz Baldric, then Sheriff of that ſhire, to give them

* An old French word, ſignifying *with the whiſkers.*

them a guide, and procure them a ſafe conduct unto Moncaſter *, now called Newcaſtle, where they propoſed ſettling, as being a place in which, before the times of the Danes, ſome Monks had reſided. But when they arrived there, they found all was defaced and gone; no token or ſign exiſted of any religious perſons having had their habitation there; nor could they ſo much as diſcover that any Monaſtery had ever ſtood near that place. The people alſo that lived in thoſe parts were ſo ſavage and wild, that, far from being encouraged, they found it neceſſary to quit the place, after living there a conſiderable time, and being reduced to extreme want. On which they removed down the river Tyne to Jarrow, where they found the ruins of churches and other decayed buildings, the former reſidence of ſuch Monks and religious perſons as had there inhabited. Here they met with little better encouragement than at Moncaſter; and, in their extreme poverty, were obliged to apply to Walkher then Biſhop of Durham, from whom they received ſuch aſſiſtance, that theſe three Monks ſeparating, and going three ſeveral ways, were enabled at the ſame time to found three different Monaſteries, viz. one at Durham, another at York, and the third at Whitby.

Reinfrid, to whoſe lot Whitby fell, on his arrival there, made application to William de Percy, who, greatly pleaſed with the company of this new and unexpected gueſt, made him all the aſſiſtance that lay in his power. He had formerly been a ſoldier under Percy in the army of the Conqueror, and when that Prince came down to the northward, anno 1069, to quell a rebellion, and to make head againſt the Danes who had burnt York, Reinfrid was among his troops. As they continued a conſiderable time in Yorkſhire, he went, with the King's leave, to viſit his former Commander, who then reſided at Sneton. "Here *(ſay the records of Whitby Abbey)* he ſaw, with much 138
emotion of heart, the ruinous condition, not only of the church, but alſo of the Abbey and Monaſtery at Whitby, where he perceived there had formerly been oratories, or cells, for about forty Monks; the altar-table, and ſome ſhattered walls, being all that now remained of that once-noble edifice."

When the Conqueror had ſettled affairs in the north, he returned again to the ſouthward; and Reinfrid, who had now formed the reſolution of ſpending the remainder of his days in a monaſtic life, had intereſt enough at court to gain his diſmiſſion from arms; on which he retired into the monaſtery of Eveſham, in Worceſterſhire, and took the habit of a Benedictine Monk. Here

* It has often ſurpriſed me to find that all our antiquarians have derived the old name of Newcaſtle from its having been the reſidence or dwelling-place of Monks. It muſt be owned that Monks lived there ſo far back as the reign of Oſwald King of Northumberland; but that Moncaſter was either then, or at any other time, ever famous for any conſiderable Monaſtery, or number of Monks, is a thing well known to be falſe; while it is certain that the Romans had an encampment and left a caſtle there, on whoſe ruins William Rufus built that caſtle from which the town derives its preſent name. Now, can it be thought a thing any way more ſtrange to derive Mancheſter and Moncaſter from Romana Caſtra, by dropping the firſt ſyllable in Romana, than it is to allow the many places in England called Rocheſter to have had that name from the ſame original, by retaining only the firſt ſyllable? Conſider alſo how prepoſterous it is to talk of the encampment of Monks, and to ſuppoſe words of different languages to be joined together by a rude and ſavage people, who, in thoſe times of ignorance, hardly knew their mother's tongue well enough to make themſelves underſtood by their next neighbours.

he reſided ſeveral years, till he was perfectly well acquainted with the rules of the order; after which, he, and his two aſſociates, travelled into Northumberland, and, as we have already obſerved, Reinfrid came, by the way of Newcaſtle and Jarrow, to Whitby.

William de Percy was naturally of a religious diſpoſition, perhaps not altogether without a tincture of ſuperſtition; he revered the Clergy as Chriſt's vicegerents here on earth, and conſidered the Monks as a neceſſary order of men to help us on our way heavenwards, who, on account of their fervent piety and devotion, were ſure to entail the divine bleſſing on ſuch of the laity as lived near them and reſpected them. No wonder then if this ſecond viſit from Reinfrid, in the habit of a Benedictine Monk, was highly agreeable to
138 him; the records of the Abbey ſay "He received him honourably, and engaged to ſupport ſo laudable an undertaking." To make it appear that he was in earneſt, he immediately ſet about repairing a part of the Monaſtery, where Reinfrid, and ſuch others as were diſpoſed to join him, might reſide. Reinfrid lived not long there alone; ſeveral aſſociates joined him, as ſoon as proper conveniences were made; and he, being appointed their Prior, undertook to inſtil into their minds the great duties of patience, humility, ſelf-denial, charity, and ſuch other Chriſtian virtues as ought to adorn a Monk. They behaved with ſuch order and decorum, as in general gained them the good-will and eſteem of all that knew them, ſo that ſeveral perſons, not altogether of the loweſt rank, allured by their example, took upon them the habit of their order, not diſdaining the auſterities of a Monkiſh life, that they might retire from the world, and ſecure to themſelves an inheritance in the kingdom of heaven.

William de Percy, well pleaſed with the behaviour of Reinfrid and his fraternity, ſoon after their firſt ſettling at Whitby, put them in poſſeſſion of two carucates, or 240 acres, of land, adjoining to their Monaſtery. Alſo Hugh Earl of Cheſter granted them the following charter:

7 "HUGH, Earl of Cheſter, to Thomas, Archbiſhop of York, to William de Percy, to the Sheriff of Yorkſhire, to his rulers and ſervants, and to all faithful chriſtians, greeting. Know ye, that I have granted to Reinfrid the Prior, and to his Convent, the church of St. Peter's at Whitby, and all things belonging thereto. And to theſe of the aforeſaid church I have given the church of Fleineſburgh, with all the tithes there, whether French or Engliſh, for a perpetual alms. Witneſſes, Earl Alan, and Ralph Paganell, and Aſtqetill de Bulmer, and Robert de Bruis, and Gilbert ſon of Adelard, with others."

By this charter it appears that the Earl of Cheſter did not at firſt ſurrender to Lord William de Percy all right and title he had to thoſe lands, &c. that lay about Whitby, nor convey them to him abſolutely as freehold; but either reſerved a part, or elſe, as Lord Paramount, received ſome quit-rent, homage, or ſervice for the whole: And this ſeems to have been one reaſon why Percy lived many years at Sneton before he granted any thing by charter to the Monaſtery of Whitby. However, thoſe lands were all ceded to him as freehold

freeehold before he entered into the Cruſade, and they are mentioned as ſuch by his ſon Alan not long after that time. As for Flambrough, Earl Hugh, ſoon after the Conqueſt, ſettled a colony of Flanderkins or Flemings in thoſe parts, who built a church and town there; and from them it took the denomination of Flammenville, Flammeville, Fleineſburgh, or Flambrough, by ſome of which names it has been known ever ſince. The church there was in the next century ceded to the priory of Bridlington, but on what conſideration does not appear.

Among others that joined Reinfrid and his fraternity, we find mention made of one Stephen, who took the religious habit, and profeſſed himſelf a Monk at Whitby in the year 1078. This Stephen, on account of his reſiding a conſierable time at Whitby, got the appellation of *Stephen Whitby*, a name by which he was ever afterwards known. He was a man of conſiderable learning, as appears by a manuſcript book of his ſtill extant in the Bodleian Library, wherein he gives the following account of the foundation of the Monaſtery at Whitby.

" When Renfrid arrived at Wytteby, with an intention to lead a ſolitary life, his fame being ſpread abroad, many aſſociated themſelves with him, deſiring to remain with him perpetually; and, among others, I alſo took the habit of a Monk at that place, that under him, as my Governor and Prior, I might be more at leiſure for the ſervice of God. When only a few days had elapſed, not only Renfrid, but alſo his whole congregation, yielding up the entire management of the Monaſtery to my direction and command, laid the burden thereof upon me; and I, though unwilling and long reſiſting, was at length prevailed upon, I know not through what judgment of God, to accept this charge, at the command of the King and of the venerable Fathers Lanfranc Archbiſhop of Canterbury, and Thomas Archbiſhop of York.

" When I was thus elected Abbot, being deſirous, through the Lord's aſſiſtance, to reſtore that place to its antient honour and dignity, which, being yet in its infancy, was endowed with no worldly revenues, many unforeſeen adverſities roſe up againſt me, which hindered the compleating my deſires. For one of the King's Barons, called William de Percy, who had given us that place when it was a deſart, ſeeing how we had improved it for the better, repented of the good action he had done, ſo that both he, and thoſe under him, uſed us very injuriouſly, trying by all the means that could be deviſed to drive us away from the place; while, in the mean time, pirates from the ſea, and robbers from the country, of which there was then great abundance, running up and down every where, offered us violence, and carried away all they could lay their hands on. At laſt, confederating together one night, they attacked us, and, after putting us to flight, took every thing we had, and even led away ſeveral of us as captives into foreign lands. For which reaſon, being filled with deadly ſorrow, and deſiring by all the ways we could to avoid the danger that threatened us, we determined to repreſent our grievances to the King, who, being of a merciful diſpoſition, was much moved with our ſufferings, and ſhewed himſelf willing and ready to aſſiſt us.

" Now

"Now there was a place called Leſtingham, not far from Wytteby, belonging to the demeſnes of the King, which place then lay vacant, but had formerly been famous for an aſſembly of religious Monks who lived there. This the King gave us; and we, by little and little, began to reſtore the ſame, and make it a fit habitation for Monks, in order that the aforeſaid William de Percy, on whoſe manor we had our abode, and others, might be leſs diſpoſed to injure us, when they knew theſe of our profeſſion had a retreating-place immediately under the power and authority of the King.

"After this, when the time approached that I was to receive the impoſition of the Biſhop's hand and the Abbot's benediction, it came into my mind to go to Leſtingham, and to be conſecrated Abbot of that place alſo; becauſe a profeſſed Monk is only ſubject to the royal authority; which thing ſeemed right and proper, not only to our congregation, and the King, and Lord Thomas, our Archbiſhop, but to all others likewiſe whoſe counſel I aſked herein. Therefore, conſidering God as my director, this was performed with the liking of all. However the ſaid William, as was his cuſtom both before and after this, continually troubled and diſturbed us, and, as was ſaid before, endeavoured by all the ways he could to expel us out of his manor, where we yet had our conventicle; which affecting me with a heavy ſorrow, I was often obliged to apply to the Juſtices of our Lord the King, in order to acquaint them with our miſery and oppreſſion, and to deſire their aſſiſtance againſt ſuch as injured us. But this nothing availing us, I at length reſolved to go over ſea into Normandy, where at that time both the King and William de Percy had their abode. There I earneſtly beſought the King to preſcribe to us what we were peaceably to enjoy, and, having received his chirograph, I returned to our fraternity. But we were not long permitted to live in quiet: For after that time the rage and malice of William was much more vehement againſt us, and he never allowed us to paſs one day quietly till he had entirely drove us away from Witteby. What needs more; neceſſity ſo requiring it, and being overpowered with continual oppreſſion, and harraſſed with the inevitable violence of this ſo-often-mentioned William de Percy, who had now publicly and unjuſtly taken away Witteby from us, we retired to the aforeſaid place called Leſtingham by the King's command, hoping there at leaſt to have the advantage of living in peace. But, becauſe the ways of man are not in his own power, Almighty God otherwiſe diſpoſed of us, and mercifully prepared for us what was more profitable both for our ſouls and bodies for ever: For here alſo (I cannot ſay by what judgment of God) thieves did ſo much abound, that they daily perſecuted us, and, by carrying away whatever we had, filled our hearts with an incurable ſorrow."

Stephen, after this, proceeds to ſhew how he and his confederates, removing to York, began to found a Monaſtery there, near the church of St. Olave, in honour of the bleſſed Virgin Mary, under the protection and encouragement of Alan, Earl of Britain; but were greatly diſturbed and diſtreſſed in this undertaking by Thomas the Archbiſhop, who gave them perpetual diſturbance till the year 1088, when King William Rufus coming to York, compoſed all differences, and, by his donations and royal charter, laid a laſting foundation

foundation for that afterwards flouriſhing Monaſtery. But as theſe are things foreign to our purpoſe, and no further mention is made in Stephen's account either of William de Percy or the Monaſtery of Whitby, we ſhall only beg leave here to make an obſervation or two by the way, and then proceed with our hiſtory.

I cannot help thinking this Abbot Stephen had groſsly inſulted William de Percy, and uſed him reproachfully on ſome account or other; ſince the whole behaviour of that Lord, at all other times of his life, ſhews him to have been by no means devoid of religion; his honourable reception of Reinfrid, his aſſiſting to build up the Abbey, and his entering into the Cruſade, are all demonſtrations of this. It is true he ſeems to have been of a haughty and choleric diſpoſition; but I am of opinion he never would have behaved ſo injuriouſly towards any Eccleſiaſtic without having had ſome great provocation: And that Stephen's behaviour was none of the beſt, appears from the long quarrel kept on foot by him for ſeveral years againſt the Archbiſhop, about four acres of land, which it is certain he unjuſtly laid claim to. The Prior Reinfrid was a man unacquainted with letters, which probably was the reaſon of his promoting Stephen, who was deſcended from a good family; but no ſooner were he and his fraternity delivered from this diſturber of their peace, than all animoſities ceaſed at Whitby, William de Percy was again reconciled to the Monks, and his brother Serlo, renouncing the pomps and vanities of this world, became a Benedictine; ſoon after which we find the two brothers inſpired with the great and noble deſign of reſtoring the Church and Abbey to the ſtate they had been in ſome hundred years before, in the days of Lady Hilda and the Northumbrian Kings. As moſt of the pillars and walls in this antient edifice, though ruinous and ſhattered, were nevertheleſs yet ſtanding, and capable of repair, William de Percy appeared the more ready to forward this deſign, which would be making proviſion for a branch of his own family, and would alſo be a means of recording his virtues to poſterity.

The church, which, when firſt built by King Edwin, had been conſecrated to the Apoſtle St. Peter, was now dedicated to the Virgin Mary, and has accordingly been known by the name of St. Mary's ever ſince. As for the Abbey, they dedicated it to St. Peter and to St. Hilda, who had formerly been Abbeſs thereof; and though the repairing thereof was begun about the year 1083, it was many years in finiſhing; nay, ſome are of opinion that, notwithſtanding its being inhabited for about 500 years, it was never entirely finiſhed: But this miſtake ariſes from the Monks always retaining a *magiſter operis*, or maſter-builder, who was, from time to time, to make ſuch alterations, additions, and improvements in the Abbey as they ſhould think proper. However it certainly was covered in, and had a good roof upon it, in the year 1096, when William de Percy ſet out for the Holy Land, being ever after that conſidered as an Abbey, or place where divine ſervice was daily to be performed.

Reinfrid continued to live beloved and reſpected at Whitby till the year 1083, or 1084; when, as our records ſay, "Being well advanced in years, 139
he nevertheleſs undertook a journey on account of his Monaſtery; and coming

ing to Ormeſbridge, where workmen were employed in making a bridge over the Derwent, he alighted from his horſe to lend them his aſſiſtance, when a piece of timber falling accidentally upon him, it fractured his ſkull, ſo that he died ſoon after. His little body was brought to Hachanos, and there buried in the chancel of the church of St. Peter the Apoſtle, in the middle of the eaſtern wall, before the altar." He was ſucceeded as Prior of Whitby by Serlo, the brother of Lord William de Percy, the great patron and benefactor of that Monaſtery.

During the time that Reinfrid was Prior, we find mention made of few donations or grants made to the Monaſtery at Whitby, only the Monks were put in poſſeſſion of two carucates of land adjoining thereto, without having the ſame abſolutely confirmed to them: But no ſooner was Serlo made Prior, than their poſſeſſions began to increaſe apace, and in fifty years time things put on ſo different an appearance, and what was granted by charters to the Monks at Whitby was ſo conſiderable, that it ſet the Abbot there almoſt upon a level with the firſt Nobility in England. Serlo, ſoon after his being choſen Prior, obtained the following charter for his Monaſtery from William the Conqueror, containing as ample and extenſive privileges as it ever was in the power of any Engliſh King to grant.

47 "WILLIAM, King of England, to all his faithful ſubjects, greeting. Know ye, that I have given, and by my charter confirmed, to the Church of Wyteby, and to Serlo the Prior, and the Monks of that place, for ever, all liberties and privileges over whatever land they have acquired, or may acquire, as alſo over all their homagers whereſoever dwelling, as abſolutely and freely as the royal power hath granted or can grant them to any church whatſoever. Alſo I grant and confirm to them, and all their homagers, whereſoever they go, to buy or ſell, an immunity from every tax, toll, or demand, of Kings, Earls, Barons, or Lords, whether made by themſelves or their bailiffs. And I forbid, under the penalty of my royal diſpleaſure, all manner of perſons from meddling with their lands, or homagers, whereſoever they are, or with their foreſts, or the wild beaſts within their liberties, or with their waters in the port of Wyteby or elſewhere, or with their other poſſeſſions, whether eccleſiaſtical or laical, or with any thing belonging to the Church of Wyteby, except the Monks themſelves, and ſuch bailiffs or ſervants as they provide. Witneſs, William de Percy, at Weſtminſter."

This charter confirmed Serlo, and the Monks of Whitby, in the poſſeſſion of theſe two carucates of land which had been delivered to them when Reinfrid was Prior. As for the repairs of the Abbey, they kept going forward daily, partly by the munificence and liberality of William de Percy and other well-diſpoſed chriſtians, partly by the ſavings the Monks made out of their revenues, and partly by the maſſes and prayers daily ſaid by them both for the living and dead; for the miſtaken vulgar then believed theſe could not fail to ſend the ſouls of the greateſt ſinners directly to heaven. But at length, their peace being again diſturbed, misfortunes, miſery, and woe, began to overwhelm

overwhelm them, and they found it abſolutely neceſſary to quit Whitby, and to look out for ſome other place of reſidence, where they might live more ſecurely. Of this our Abbey records give the following account:

"In the time of William II. King of England, ſon of William the Baſtard, King of England, a great tribulation and perſecution aroſe in the Monaſtery of Whiteby againſt Serlo the Prior, and the fraternity in that place, ſuch as they formerly had experienced in the days of Rainfrid, heretofore Prior of Whiteby. For thieves and robbers, by day and night, coming out of the foreſts and dens where they lurked, carried away all their ſubſtance, and laid that holy place deſolate. In like manner, pirates, void of all compaſſion, landing there, came and plundered the Monaſtery. Induced by theſe reaſons, Serlo the Prior, and the Monks of Whiteby, ſhewed their calamity and miſery to William de Percy, begging of him to give them a place of reſidence at Hackenas, where they might conſtruct a Monaſtery, as alſo the Abbeſs St. Hilda had formerly conſtructed a Monaſtery there. Now William willingly granted their petition, on ſuch terms, that, peace being again eſtabliſhed, they ſhould return to their aforeſaid Monaſtery at Whiteby. Here therefore they began to erect a Monaſtery, near the church of St. Mary in that town, where they remained ſome time, and led a very religious life. Afterwards a very great diſſenſion ariſing between the two brothers, William de Percy, and Serlo de Percy the Prior of Whiteby, (on account of William de Percy's giving the towns of Staxby and Everley to Ralph de Everley, his armour-bearer, who had been his ſervant many years) William de Percy wanted to take away from his brother Serlo all thoſe lands and towns which he had formerly given to the aforeſaid Monaſtery of Whiteby; which as ſoon as Serlo the Prior was made acquainted with, he went in much haſte to William King of England, whoſe familiar acquaintance and loving aſſociate he had been, while they were yet youngſters, in the houſe and court of King William the Father. Him he made acquainted with all proceedings; on which King William commanded and charged William de Percy, and Serlo his brother the Prior of Whiteby and Hackenas, as alſo the Monks ſerving God there, to keep his firm peace, and to make no further diſturbance. But Serlo the Prior, being deſirous to be at a diſtance from his brother William de Percy, and to live on the freehold of our Lord the King, leſt his brother ſhould offer him ſome injury, or uſe him reproachfully, beſought King William to give him and his Monks, for a perpetual alms, ſix carucates of land, with their appurtenances, which were in his lordſhip, two of them lying in Hackenas, and the other four in Northfeld." The which he alſo did.

Here we have another inſtance of the haughty and choleric diſpoſition of William de Percy, which made Serlo and his Monks dread the remaining on any part of his manors; a diſpoſition that he could hardly have poſſeſſed to ſuch a degree, unleſs he had been the head of the Percy family, not only here in England, but alſo in Normandy, and feared not the controul of any relation whatſoever. However that be, matters were certainly at laſt compromiſed between him and his brother Serlo very honourably; for Ralph of

Everley was never put in poſſeſſion of Stakeſby, and the land about Everley ſeems to have been divided between him and the Monks of Whitby, ſo that we find afterwards a part thereof belonged to each; and in the next century the deſcendants of this Ralph were, by the Abbot and Convent of Whitby, put in poſſeſſion of the whole manors of Ugglebardeby and Everley; but upon what conſideration our records do not inform us.

When this quarrel happened between the two brothers, anno 1088, King William Rufus was at York, where Serlo found him, and obtained from him the following charter:

"WILLIAM, King of England, to Thomas the Archbiſhop, to Earl Alan, to Ralph Paganell, and to all his faithful ſubjects, French and Engliſh, greeting. Know ye, that, induced by the love of God, I have granted, as a perpetual alms, for my own ſoul, and the ſouls of my heirs, to the church of St. Peter at Preſteby and at Whiteby, and to Serlo the Prior, and to the Monks performing divine ſervice there, that they ſhall enjoy at the ſaid church the ſame laws, cuſtoms, and privileges as the church of St. John at Beverley, of St. Wilfrid at Ripun, and St. Peter at York poſſeſs and enjoy. Alſo I grant and confirm to the aforeſaid church of Whyteby, the church of St. Peter at Hakaneſs, with two carucates of land in the ſame town, four at Nortfeld, and two at Bruniſton, with all their appurtenances, and with ſac and ſoc, and free from every tax. Witneſſes, Lanfranc, the Archbiſhop; Eſmund, a Biſhop; and William de Percy; at York."

Here we are to obſerve that, after the deſtruction of Streanſhalh by the Danes, ſome few huts or cottages were in proceſs of time erected on its ruins, which, from the neighbourhood of the Abbey where the Prieſts or Monks had formerly reſided, got the name or appellation of Preſteby; and by this name it ſeveral times occurs in our records, though never any more after the date of this charter; for the harbour, and ſome few fiſhermen's huts below the hill, having long before the Conqueſt been called Wyteby, Whyteby, and Whytebay, on account of the colour of the waves breaking upon the rock, it by degrees communicated its name, not only to what ſtood below, but likewiſe to what was afterwards built upon the hill, ſo that after the reign of William Rufus, Preſteby was no longer heard of, nor did the Monaſtery there ever more retain that name.

In this charter alſo we find mention made of ſac and ſoc, which are words of Saxon original, and imply a power of holding courts, to judge and determine all controverſies or differences about property that ariſe among the vaſſals, tenants, or dependents of ſome particular Lord of a Manor. And this power the Prior and Abbots of Whitby enjoyed at Hackneſs, before they had any ſuch privilege at Whitby; becauſe the greateſt part of their property, which was now aſſigned them by the King, lay in thoſe parts.

King William Rufus, before he left York, to ſhew his friendly diſpoſition for Serlo and his Monks, made them a further benefaction, and "gave them the church of All Saints in Fiſchergate at York, with its appurtenances, as a perpetual

perpetual alms, to be a cell for them, and to enjoy the ſame liberties and privileges as the church of St. John at Beverlac, and the church of St. Wilfrid at Ripun then had, on condition that ſome Monks from Whitby ſhould conſtantly reſide there, and perform divine ſervice in the ſame daily, praying for the Kings of England and their heirs."

After this ſtorm was blown over between the two brothers, Serlo and his Monks continued their reſidence at Hackneſs ſome conſiderable time, till the Monaſtery and Abbey at Whitby were made proper and convenient for their reception; and then, at their return, they left a part of their fraternity in St. Peter's at Hackneſs, which ever after that became a cell, or religious houſe, ſubordinate to the Prior or Abbot of Whitby. Not long after their return, William de Percy alſo thought proper to grant the following charter to the Abbey and Monaſtery of Whitby:

"WILLIAM de Percy, to all that read this charter, or hear it read, 8
greeting. Know all men that now are, and alſo ſuch as are yet to come, that I William have given to God, and St. Hilda the Abbeſs, for building the Abbey church of St. Peter and St. Hilda at Wyteby that was formerly deſtroyed, and to Serlo the Prior my brother, and to the Monks performing divine ſervice there, for a perpetual alms, for the ſoul of my Lord William King of England, and of my Lady Matilda his Queen; as alſo for my Lord King William their ſon, and the Kings of England their heirs, and for my Lord Hugh Earl of Cheſter, and for the ſouls of all my anceſtors, and for myſelf and Emma de Port my wife, and Alan de Percy our ſon, and for our heirs, viz. the towns of Wyteby, and Stainſkar, and Neuham, and Stacheſby, with all their appurtenances; and the port of Wyteby, and Hackaneſſe, and the church of St. Mary in the ſame town, as alſo the church of St. Peter, with all their appurtenances, that the aforeſaid Monks of Wyteby may live there peaceably, and pray for the ſouls beforementioned, and Nordfeld, and Sudfeld, Everlaye, and Brokeſaye, and Tornelaye, with all that pertains to theſe towns. In Upeleya the French growing tithe of Hall Proviſion *(Francigenam decimam annonæ hallæ)*; in Wylton likewiſe, in Chevermunt likewiſe, in Ludefort likewiſe, in Covenham likewiſe, in Emmingham likewiſe. In Lindeſay the tithe of Hall Proviſion, in Sumerledeby likewiſe. In Samar in Everwycheſire *(or Yorkſhire)* likewiſe; and at Ergum half the fiſhery. With all the foreſts, paſtures, woods, waters, and ponds, belonging to the aforeſaid church of Wyteby. Now all theſe I have given to God, and to St. Peter, and St. Hylda the Abbeſs, and to the Monks of Wyteby performing divine ſervice, for a perpetual alms, ſo free, quiet, and clear from every ſecular exaction or demand, that I and my heirs will warrant, defend, and acquit the aforeſaid alms from every tax or ſervice. To this donation theſe are witneſſes and ſureties, viz. Thomas, Archbiſhop of York; Emma de Port, my wife; Alan, Walter, and William, my ſons; Ernald de Percy; Gilbert, the ſon of Adelard; Warine; Richard; Fulco, the ſon of Raynfrid; Alred; Gosfrid, the ſon of Urſel."

Fulco, the ſon of Raynfrid, who is here a ſubſcribing witneſs, and occurs in ſeveral other places of our records, ſeems to me to have been the ſon of Reinfrid the Prior, by ſome wife which probably he had before he became a Benedictine Monk. The great notice taken of him by the Percy family, and their afterwards procuring for him the place of Butler, or Cup-Bearer, to the family of Bowes *(or de Arcubus)* almoſt amount to a proof of this. As for the tithes of Upeleya, or Upleatham, and the other manors mentioned in the above charter, I apprehend they are only the tithes of the land of ſuch Frenchmen as lived there: But why the original natives in thoſe places were excuſed from paying tithes, I leave others to determine.

The next conſiderable donation made to the Monaſtery of Whitby came from Uchtred, the ſon of Goſpatric, who lived at Alverſtain, Allerſton, or Allerton, a village ſituate on the edge of the Yorkſhire Wolds, and who gave Serlo and his Monks two carucates of land at Chaitun, near Semar. The charter ſhews the religious diſpoſition of the donor; but whether he ever really took upon him the habit of a Benedictine Monk, we are not informed. It contains the following particulars:

22 "KNOW all faithful chriſtians now living, or which are yet to come, that I Uchtred de Alverſtain, the ſon of Goſpatric, have given to God and St. Mary, and to the church of St. Peter and St. Hylda at Wyteby, and to Serlo the Prior, and the Monks performing divine ſervice there, for an alms, two carucates of land at Chaitun, with their appurtenances, free and clear from every ſervice, for the ſouls of my Lord King William, and all my anceſtors, and for myſelf. Now the ſaid Monks have allowed me to be a brother in their ſaid Convent abſolutely and entirely, and promiſe that if at any time hereafter I chuſe to join myſelf to that fraternity of Monks, they will willingly and freely receive me, with whatever ſubſtance I ſhall bring along with me, be the ſame more or leſs. To which things the whole congregation at that place are witneſſes; Serlo, the Prior; William, the Cellariſt; Godefrid, the Maſter-Builder there; Suen; Arnebrimſune; and others."

Godefrid, who is here a witneſs to Uchtred's donation, and who was the chief Architect or Maſter-Builder in Whitby-Abbey, had long reſided in York, where probably he ſuperintended the repairing of York-Minſter, after the ravages made there by the Danes, anno 1069. He was invited from thence to Whitby by William de Percy, where he was the principal director for many years; and was ſo much pleaſed with the behaviour of Serlo and his Monks, that he made them a preſent of his houſe in Ouſegate, where he had formerly lived.

The Saracens, and other enemies of the chriſtian religion, having not only got poſſeſſion of Jeruſalem and the Holy Land, but moreover ſubdued almoſt all Aſia and Africa, were in danger of over-running Europe alſo, and entirely extirpating chriſtianity; on which there roſe up an extraordinary Monk, or Hermit, called Peter, whoſe preaching ſo far prevailed among the chriſtian Princes, that many of them beſtirred themſelves, and either entered themſelves

ſelves into the Cruſade, or ſent forces to repel the common danger, and recover what had been loſt in the Holy Land, or elſewhere. Among others that took the croſs was Robert Duke of Normandy, elder brother of King William Rufus. William de Percy alſo, who had ever been forward to promote the cauſe of religion, and was the intimate acquaintance of Duke Robert, joined himſelf to his retinue, and ſet out with him for the Holy Land in the year 1096. An army of near 300,000 Pilgrims was formed, all zealous to fight for the cauſe of religion, under the banners of thoſe ſeveral nations to which they belonged. It would be foreign to our purpoſe here to enumerate the various chances that befel this numerous hoſt of adventurers; ſuffice it to ſay, that, after recovering Little Aſia, they alſo gained poſſeſſion of all the Holy Land, and made Godfrey of Bulloign King of Jeruſalem. However, many of thoſe Pilgrims, or religious ſoldiers, paid dear for their raſhneſs in undertaking this expedition; very few of them lived to return home, but were cut off, either by famine, by ſickneſs occaſioned on account of the change of climate, or by the many battles they fought with the infidels. Among others that left their bones there was William de Percy, who, as our records ſay, "died, not far from Jeruſalem, at a place then called Mountjoy, 139
and was there honourably buried."

William de Percy left behind him four ſons, viz. Alan, the eldeſt, who ſucceeded to the greateſt part of the eſtate; Richard, who had conſiderable poſſeſſions aſſigned him at Dunſley and elſewhere; William, and Walter, of whom we know nothing, and who were probably never married. Beſides theſe four ſons, we find mention made of other Percys in the lifetime of William de Percy, who were either diſtant relations, or (as ſeems to me moſt probable) natural children; ſince it appears beyond all contradiction, that they were dependent upon him, and frequently (if not always) reſided with him. In William de Percy's charter, Ernald de Percy is one of the ſubſcribing witneſſes; and in our records Pichot de Percy frequently occurs, who had a ſon called Robert, a man of ſome note, as he gave the church of Sutton, on the Derwent, to Whitby Abbey.

Alan de Percy took to wife Emma de Gant, (ſo called from the place of her nativity in Flanders) by whom we find he had ſeven ſons, who all grew up to man's eſtate, and whoſe names ſeveral times occur in our records, viz. William, the eldeſt; Alan, ſurnamed le Meſchin; Walter, ſurnamed de Rugemund; Geoffrey; Henry; Robert; and Gosfrid, ſurnamed the Clergyman. Richard de Percy of Dunſley, by his wife Alice, the widow of Walter de Argentum, had three ſons, called William, Alexander, and Walter; as alſo two Daughters, Celeſtine and Chriſtiana. And in the reign of Henry I. we find the Percy family were become ſo numerous, that to trace them all out would be an endleſs labour: Therefore we ſhall here no farther particularize that antient and noble family, but only mention ſuch branches thereof as occaſionally fall in the way of our hiſtory. However we cannot help obſerving, that Whitby was for ſeveral ages their place of burial, and that few of them, before the year 1200, ſuffered their bones to be depoſited elſewhere, except William de Percy, their firſt progenitor, who died in the Holy Land.

In

In the year 1096 or 1097, William de Percy and Aaliza, or Alice, his ſiſter, nephew and niece to the firſt William de Percy and Serlo the Prior, came over from Normandy into England. Soon after their arrival at Whitby, William became a Canon or Monk, under his uncle Serlo, and his ſiſter Alice was firſt married to Hugh of Boithorp, near Semar, and afterwards to Reginald Bucel, or Buſcel, of Hutton-Buſcel.

20 *and* 64 In the year 1099, "Fulco, the ſon of Reynfred, with the conſent and leave of his Lord Oſbert de Arches, gave, granted, and, by laying his ſtaff upon the high altar of St. Peter and St. Hylda, offered to God and the Fraternity in the church of Whitby, two carucates of land in Toleſtun, for a perpetual alms, for the ſalvation of his own ſoul, and theſe of all his anceſtors and ſucceſſors, free and clear from every ſervice or ſecular exaction; and he commanded all his heirs to maintain this alms, which he would have to be as free and clear from every foreign ſervice *(de omni forinſeco ſervitio)* as any alms whatever could be. To this his donation theſe were witneſſes; William de Percy, the Canon; Harundel, and John his ſon; Hugh, the Archdeacon; Picot de Percy; Geoffrey de Arel'; Odo, a Chaplain; Richard of Lindeſey; and others."

In the year 1100 or 1101, we find the following record or charter was granted to Serlo and his Monks by Nigell de Albinny, *(or Aubigny)* a Yorkſhire Earl of Norman extraction:

65 "TO Thomas the venerable Archbiſhop of the church of York, to his Lord and friend Romer, to all true Members of the holy church of God, and to his friends, Nigell de Albinny, greeting. Know all men, preſent or to come, that I have given to God and the church of All Saints, which is in Fiſergate at York, half a carucate of land at Thorp, with the dwelling houſes *(Oſpitibus)* that are upon it; which my will is that Serlo and the other Monks of that place may poſſeſs and enjoy. Witneſſes; Thomas *(the Archbiſhop)* Ranulf, Biſhop of Durham; Richard, Abbot of St. Albans; Guido, my Chaplain; and others."

Serlo continued to preſide with great reputation, as Prior, in the Monaſtery of Whitby, for almoſt twenty years, and died about the year 1102, much regretted by the Monks and all that knew him, but more particularly ſo by the Percy family, to whom he had long been a peculiar ornament. He was ſucceeded, as Prior of Whitby, by his nephew William, who had for ſeveral years lived as a Canon or Monk there, and was unanimouſly elected by the whole fraternity; being judged the propereſt perſon for getting their poſſeſſions confirmed to them, and gaining them an addition to their preſent power. Their eſtates we muſt own had been very conſiderably enlarged during the reign of Serlo; but all that was nothing when compared to thoſe numerous donations that were afterwards made them from all quarters. It is true this was the very period when all the chriſtian world in general was enthuſiaſtically mad about leaving their ſubſtance to pious uſes, under a firm perſuaſion that they thus ſecured to themſelves an inheritance in the kingdom of heaven. And

William

William de Percy, being the nephew of a hero, who had not only founded a Monaſtery, but alſo laid down his life in defence of the chriſtian religion, made him regarded with a ſtill more favourable eye by all ranks and degrees of chriſtians, who thought they never could be too munificent to the family of a man whom they ſo much revered, and who was by them conſidered both as a Saint and a Martyr.

William de Percy was no ſooner choſen Prior than, that appearing a title below the dignity of his rank and family, he was dignified with the more honourable one of Abbot; and the rather ſo, as the Abbey and Monaſtery were now in a manner finiſhed; what was wanting, or built afterwards, being more for ornament and beauty than real uſe. This title was confirmed to him, not only by Gerard, Archbiſhop of York, but alſo by Henry I. King of England; and likewiſe by Honorius II. Pope of Rome.

Immediately after the conqueſt, a part of the land in Fyling-Dales was aſſigned over by the Conqueror to one of his followers called Tancred, a Fleming, or Flanderkin; who, after enjoying it for more than thirty years, formed a reſolution of leaving England, either with a deſign to enter into the Cruſade, or elſe that he might ſpend the remainder of his days in his native country. For this purpoſe he ſold all his eſtate in Fyling-Dales to William the Abbot of Whitby; and having reſigned it over in truſt to Alan de Percy, it was afterwards conveyed by the ſaid Alan's charter to the Monaſtery of Whitby, together with many other large poſſeſſions of his own adjoining thereto, viz. all the freehold he then had in Whitby-Strand. The following is an exact tranſlation of this charter:

"BE it known to all faithful ſons of the Catholic Church, not only theſe 8
that now are, but alſo ſuch as are yet to come, that I Alan de Percy have conveyed over, and confirmed to the church of St. Peter and St. Hilda at Wyteby, and to the Monks performing divine ſervice there, for a perpetual alms, thoſe towns which Tancred the Flanderkin ſold to William the Abbot of Whitby, and the Monks of that place, viz. Figeling, and the other Figeling, Normanneby, and Haukeſgard, with all their appurtenances. Now this Tancred ſurrendered the aforeſaid towns to me, and I have given and confirmed them to the ſaid church, he having abjured and quit-claimed, for himſelf and his heirs, theſe towns to God, and to St. Peter and St. Hilda of Wyteby, and to the Monks of that place. Moreover I have given and confirmed to the aforeſaid church of Wyteby, and to the Monks performing divine ſervice there, for a perpetual alms, all the lands, foreſts, paſtures, and woods in my freehold, that they may belong to the church of Wyteby, freely and quietly, whether in woods or plains, in meadows or paſtures, in waters or ponds, or in any thing elſe pertaining to me, within theſe boundaries, viz. all the ſea-coaſt from the port of Wyteby to Blawych, and thence to Grenedic; and along Grenedich to Swineſtiſchage, and to Thornelay, and all Tornelay; and to Kirkelac, and to Coppekeldebrok, and thence along by the brow of the hill beyond Theoveſdiches to Staincroſſegate, which is near the town of Suffeld; and thence to Gretaheued, and to Elſicroft, and the Moſs, *(Moſam)*

to

to the middle of the Moſs; and thence to the Derewent, and half the Derewent all along to where the Derewent firſt riſes out of the earth, and to Lillacros, and to Scograineſhoues, and to Sylehou, and to Lithebech, and along Lithebech to where it falls into the river Eſch, and half the Eſch all along to where it receives St. Hilda's fountain; and beyond the Eſch, along that fountain, to St. Hilda's Well; and thence along to the Horſecroft, and to Thordiſa, and to the ſea, and thence by the ſea-coaſt to Wyteby. Now I have given all the churches, towns, lands, foreſts, paſtures, and woods, that are my freehold, within theſe limits, to God, and to St. Peter and St. Hylda the Abbeſs of Wyteby, and to the Monks ſerving God there, for the ſalvation of the ſouls of my Lords the Kings of England and their heirs, and for Hugh Earl of Cheſter, and for the ſalvation of my own ſoul, and all my anceſtors and heirs. Of which things theſe are witneſſes, viz. William, Walter, and Richard de Percy, my brethren; Robert de Brus, and three of his vaſſals or ſoldiers *(tres de ſuis militibus)*; Roger de Roſel; Wydo of Lofthus; Robert the Frenchman; Pichot de Percy; Fulco; and others."

Here we muſt beg leave to obſerve, that the limits of Whitby-Strand are now the very ſame as they were near ſeven hundred years ago, only one farm being wanting on the north ſide of the Eſk, which we find added thereto in the charter of King Henry I. Hilda's Well is a large ſpring, riſing out of the ground about a hundred yards to the ſouth-eaſt of Swarthoue-Croſs, and forming a Beck, called Hilda's Beck, which runs down on the weſt ſide of an eſtate beyond Aiſlaby, belonging to Robert Bower, Eſq; till it loſes itſelf in the Eſk. The bounder ran on in a right line from this well to the corner of the Horſecroft, adjoining to Dunſley-Moor, and from thence went on to Thordiſa, now called Eaſt-Rowe. This village was originally called Thordiſa, from a heathen temple erected there by our pagan anceſtors the Saxons, in which ſtood an idol repreſenting their great god Thor, who is believed to be the ſame as Jupiter among the old Romans. It was the cuſtom with theſe idolaters to have Thor placed majeſtically in a large and ſpacious hall, in ſuch manner as if he repoſed himſelf on a covered bed: On his head he wore a crown of gold, around which were drawn out, or fixed, twelve bright burniſhed golden ſtars, and in his right hand he held up a royal ſceptre. He was by the ignorant pagans believed to have incredible power and might, they ſuppoſed all nations were ſubject to him, and that divine honour and worſhip was due unto him from the whole race of mankind; that no power was comparable to his, and that he had abſolute dominion over all things, both in heaven and earth; that the winds and clouds were at his command; and that, when diſpleaſed, he cauſed lightning, thunder, and ſtorms, with immoderate rain, hail, and all kinds of bad weather; but on the contrary, when pleaſed with his votaries, on account of their adoration and ſacrifices, he beſtowed on them fair and ſeaſonable weather, cauſed corn to grow in abundance, ſent them plenty of fruit, and drove far away from them the plague, with all other noiſome and infectious diſeaſes.

Here

Here then, at or near the Eaſt-Rowe, ſtood the idol temple of this heathen god Thor, from whence the place was for many centuries called Thordiſa. The ſacrifices that had been made, and the worſhip that was paid by the Romans in Marſdale, near Sands-End, were afterwards, on the arrival of the Saxons, transferred a little ſoutherly to the village of Thordiſa, whence there is a much more extenſive proſpect of the ſea, and particularly of Dunſley-Bay. Here the place of worſhip ſeems to have been fixed by the heathens till chriſtianity did prevail; and even then, though this temple was converted into an hermitage, whoſe ruins are yet to be ſeen, yet that village ſtill continued to be known by the name of Thordiſa all the time our Monaſtery at Whitby exiſted: But finally, about the year 1620, when an allum-work was begun to be wrought near that place, and the village was moſtly occupied by ſuch men as were employed there, it took the name of Eaſt-Rowe, on account of its eaſterly ſituation from that work, by which name alone it is now known.

Before I proceed, permit me to make one obſervation more, with regard to thoſe tumuli, barrows, or houes, which are found in conſiderable numbers on our moors, and which form ſeveral of the bounders of Whitby-Strand, as Swarthoue, Sylehoue, Scograineſhoues, and Lilla or Lilhoue. It is my opinion theſe houes were thrown up and made in England by heathens, unacquainted with the chriſtian religion, as repoſitories for their dead; ſince it is certain that whenever any of them are dug into, and thoroughly examined, human bones are found therein. The Danes are by the vulgar believed to be their authors, but that does not appear to me to be entirely the caſe; for the different manner in which the remains of the dead are found to be interred in theſe houes, ſhews plainly it was the practice of more than one nation; and there is little reaſon to doubt but that cuſtom prevailed here, not only among the Danes, but alſo among the Saxons, the Romans, and old Britons; nay, earlier than that, even among the Carthaginians, the Tyrians, and Phenicians, who frequented the Scilly Iſlands and ſea-coaſts of Cornwall. I myſelf have lately viewed the ear-ring of a lady who had moſt certainly been buried in one of theſe houes long before the time of the Danes' arrival in Britain: It is of jet, more than two inches over, and about a quarter of an inch thick, made in form of a heart, with a hole towards its upper end, by which it has been ſuſpended to the ear. It lay, when found, in contact with the jaw-bone; and, if any credit be due to antiquity, muſt aſſuredly have belonged to ſome Britiſh lady who lived at or before the time that the Romans were in Britain, when ornaments of this ſort were univerſally uſed. But it is time for us to leave this digreſſion, and to proceed with our hiſtory.

The lands and revenues of Whitby-Abbey being now much augmented by the liberality of Alan de Percy, theſe, and ſome other donations made to the Monaſtery, were confirmed to the Abbot William and his Monks, by King Henry I. in a royal charter, of which the following is an exact tranſlation:

"HENRY King of England, to Thomas Archbiſhop of York; to Oſ- 50
bert the Sheriff; to Nigell de Albiny; to Aſchetill de Bulmer; to all his Barons and their ſervants, and to all his faithful ſubjects in Yorkſhire,

whether French or Engliſh, greeting. Know ye, that William Abbot of Whitby, and the Monks of that place, have given me all the bucks and does, and boars, within their foreſts; and I have foreſted them for myſelf and my heirs. Wherefore I will and command, that the Abbot and Monks of Wyteby hold and poſſeſs all their groves and paſtures, for ever, ſo freely, quietly, and honourably, that none of my ſervants may enter into theſe groves and paſtures to diſturb or hinder them from getting the produce thereof. Alſo I grant and confirm to the aforeſaid church of St. Peter and St. Hylda at Wyteby, and to the Monks ſerving God there, all the lands, foreſts, and paſtures which William de Percy, and Alan his ſon, founders of that Abbey, have given thereto for an alms, according to all theſe marks or bounders mentioned in the charter of Alan de Percy, viz. all the ſea-coaſt from the port of Wyteby to Blawich, and from thence to Grenedich; and along Grenedich, and thence to Swineſtiſchage, and to Thornelay, and to Kirkelach, and to Coppekeldbroch; and thence along by the brow of the hill beyond Theoveſdiches to Staincroſſegate, which is near the town of Suffeld; and to Gretaheued, and to Elſicroft; and the Moſs, to the middle of the Moſs, and thence to the Derewent; and half the Derewent all along to where it has its ſource, and to Lillacros, and to Scograineſhoues, and to Sylehou, and to Lithebech; and along Lithebech to where it falls into the river Eſch; and half the Eſch all along to where it receives Brocholebech; and all along Brocholebech to Swarthouethcros, and to the Horſcroft, and to Thordiſa, and to the ſea, and along the ſea-coaſt to Wyteby. Moreover I will and command, that the two carucates of land in Hakanes, the four in Norfild, and two in Briniſton, given them by King William my father, with all their appurtenances, may be held and poſſeſſed by the Abbot and Monks of Wyteby, clear from all taxes, that they may pray for the ſouls of the Kings of England and their ſucceſſors; and I forbid all men from injuring or uſing them reproachfully in any thing reſpecting theſe lands. Laſtly, I grant and confirm the church of St. Peter at Hakanes, with its appurtenances, to have ſoch and ſach, thol, theam, and infangenthef. Witneſſes, Ranulf, Biſhop of Durham; Earl Mellet; Henry, Earl of Warevich; Alan de Percy; and Robert de Brus."

In this charter, which ſeems to have been granted about the year 1109, or perhaps a few years later, we find Whitby-Strand deſcribed according to thoſe very limits which it ſtill continues to have in theſe our days; Brocholebech being the rivulet which ſeparates Whitby pariſh from the chapelry of Egton, and runs down on the eaſt ſide of that land which at preſent belongs to Mr. William Law. As for thoſe privileges granted to the Abbot of Whitby at Hackneſs, relating to ſach and ſoch, thol, theam, and infangenthef, we have already explained the meaning of ſach and ſoch, and have only to obſerve here, that thol or toll is what every one underſtands, and therefore ſtands in need of no explanation. Theam is a word of Saxon original, and ſignifies a privilege granted by royal charter to the Lord of a Manor, for having, reſtraining, and judging his bondmen, vaſſals, ſervants, and tenants, which,

which, with their children, goods, chattels, and all their ſuits, were formerly ſuppoſed to be the property of the Lord of that Manor where they lived, in the very ſame manner as, in the Weſt-Indies and America, the negroes are ſuppoſed to be the property of the maſter of that plantation who purchaſes them of the Guinea Captains that there expoſe them to public ſale. And as for infangenthef, it is alſo of Saxon original, and implies a liberty or privilege granted to the Lord of a Manor, to judge any felon or thief taken for ſtealing within the ſaid Manor or Freehold. Hence it appears, that this was the period of time when the Abbots of Whitby were firſt inveſted with exorbitant and tyrannical power; which, though it then extended only to the manor of Hackneſs, yet, in a few years after, they were allowed to exerciſe it over the whole liberty of Whitby-Strand. And that they really exerciſed this power, appears in the higheſt degree probable, ſince the cloſe now called *Gallows-Cloſe*, ſeems firſt to have had that name from the gallows ſtanding there, on which ſuch criminals as the Abbot judged to be guilty of death were executed or hanged.

Beſides the aforegoing charter of Alan de Percy, we find alſo another granted by him to Whitby Abbey, ſpecifying particularly all the donations that he made to the ſaid Abbey, of which here follows an exact tranſlation.

"KNOW all true ſons of the Catholic church, preſent or to come, that I, 71
Alan de Percy, in the time of my Lord Henry, King of England, who allows of and confirms my donations, have given, for a perpetual alms, to the church of St. Peter and St. Hilda at Whiteby, for the ſoul of the ſaid King Henry, and King William his brother, and for the ſouls of their Heirs, Kings of England, and for the ſouls of Hugh, Earl of Cheſter; and William de Percy, my father; and Emma de Port, my mother; and all my anceſtors; and for myſelf, and my heirs, viz. Witeby, where the ſaid church is, and the church of St. Mary in the ſaid town, and the ſea port, with all its liberties and appurtenances, and Whitby, and Overby, Gnipe, Normanneby, Figeling, and the other Filing, Sneton, Ugelbardeby, Soureby, Duneſlac, Neuham, Stakeſby, Brecca, Flora, and Hakeneſs, and the church of St. Mary in that town, and the church of St. Peter, and Nordfeld, and Sudfeld, and Everley, and Broceſay, and Torenlay, and the tithes in the ploughlands of my manors of Uplium, of Wilton, of Samar, and of Nafreton: Likewiſe in Lindeſay, of Immingham, of Summerledeby, of Staynton, of Caprimont, of Ludeford, of Elkington, of Caletorp, of Covenham, and of Anthneby; and half the fiſhery at Ergum; with all the foreſts, paſtures, woods, waters, and ponds, belonging to the aforeſaid church of Whitby, as fully and freely as I and my father ever held and poſſeſſed them. Now all theſe things I give to God, and to St. Peter and St. Hilda, and to the Monks of Whiteby ſerving God, for building up the aforeſaid Abbey, and confirm them by my charter, granting them ſo freely, quietly, and intirely, clear from every ſecular exaction and demand, that I reſerve nothing at all out of them for myſelf but the defence of that Abbey: And I, and my heirs, will defend and acquit the aforeſaid Abbey of Whitby, and all this my before-mentioned alms,

from all horſe and foreign ſervice, and from every ſecular exaction and demand. Of which theſe are witneſſes and ſureties; Walter and Richard de Percy, my brothers; Picot de Percy; Fulco, *(the Cupbearer)* the ſon of Raynfrid; and William, his ſon; Everard; Malger; William, the ſon of Terry; Richard de Hulnut; Arundel; Maumardus, of London; and Aleman, a Prieſt."—This laſt witneſs was probably a German.

Soon after purchaſing the land in Fyling-Dales, William de Percy, the Abbot, founded a church or chapel there, which, when finiſhed, about the year 1107 or 1108, was dedicated to St. Stephen, and ſtill remains in theſe our days. This chapel, through all ages, till the diſſolution of our Monaſtery, was an appendage of Whitby church; but ſince that time hath generally been conſidered as a church belonging to a ſeparate pariſh. About the ſame time alſo he built another church or chapel at Sneton, which was then likewiſe dependent upon Whitby church; and how it came afterwards to be ſeparated therefrom will appear in the courſe of this hiſtory.

136 "In the year 1109, when William de Percy was Abbot of Whitby, there was in his Monaſtery a Monk of a good character, being a holy and religious man, who was afflicted with the leproſy. He was treated with great humanity; but being deemed incurable, a freeholder, called Orme, founded an hoſpital at the bridge, now called *Spityll Brygd*, and gave thereto all the woody and thorny ground that was in its neighbourhood; providing moreover for the ſick that were there, every week, ſeven loaves of bread, and ſeven flagons of beer; and every day a diſh of fleſh or fiſh, as was judged moſt convenient for their diet. Afterwards they were allowed one diſh of meat from the Refectory, with bread and beer ſuitable. The aforeſaid leprous Monk of Whitby, called Geoffrey Manſell, was put into this hoſpital, where he remained till the day of his death: After which, certain poor people, as well ſick as others, continued to live there for ſome time; and Robert de Alneto, a Monk of Whitby, maſter of the ſaid hoſpital, for their better ſupport, obtained of the aforeſaid Abbot William two oxgangs of land in Honenton, *(or Huntington, near York)* with one toft, *(or old tenement)* which Gundrey Mwbra *, widow of Nigell de Albinny, gave to St. Peter and St. Hylda of Whitby, and to the Monks ſerving God there, for a perpetual alms, for the ſoul of her huſband, and for Roger Mowbray their ſon, and for herſelf. Now theſe two oxgangs of land, with the toft, were lett, for a certain term of years, by the Abbot and Convent of Whitby, to the Monks of Riewalls; who accordingly poſſeſſed them in the time of the Abbot Aelred, of happy memory. That Abbot alſo allowed the fraternity in the ſaid hoſpital yearly to receive the old cloaths of his Convent of Riewalls, which were conſtantly remitted them every year at the feaſt of St. Martin. And becauſe the Abbot and Convent of the Monaſtery of Riewalls were lords and owners of the aforeſaid town of Honenton, they therefore deſired to continue to rent of the Abbot and Convent of Whitby, the ſaid two oxgangs of land, with the toft; and they were acccordingly allowed to poſſeſs theſe premiſes many years, on paying for the ſame ſix Shillings annually to the Monaſtery of Whitby."

* Sic in orig.

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As Robert de Alneto, mentioned in the preceding record, was a man of a very extraordinary character, not to give a more particular account of him might be deemed an unpardonable neglect. We muſt therefore acquaint the reader that he was a Norman of noble extraction, who, about the year 1100, came into England to viſit his friends and relations, particularly Nigell de Albinny, and Lady Gundrey, to whom he was uncle. In the round of his viſits here in Yorkſhire, coming to Whitby, he was ſo much delighted with our Abbey and Monaſtery, that he formed a reſolution of renouncing the world, and took the habit of a Monk under Serlo. Here he ſpent moſt of his time in meditation and prayer, practiſing auſterity, mortification, and ſelf-denial, in ſo remarkable a manner, that he ſoon became a diſtinguiſhed example of piety and holineſs. Some years after this, when the hoſpital was built, he was prevailed upon, by the Abbot William, to undertake the care and management thereof. This truſt he diſcharged for a conſiderable number of years, much to his credit and reputation, being beloved and reſpected by all: But growing fond of an hermetical life, and thinking himſelf here not ſufficiently at leiſure for contemplation and prayer, he left Whitby, and, retiring to the Black Moors a conſiderable way beyond Helmſley, with the leave of his niece Gundrey, he erected an hermitage, or cell, at a place called Hot, or Hode, where he lived many years ſolitary and alone, being in a manner ſeparated from the world, and minding nothing but a future ſtate, and the great duties of religion. Proviſions were occaſionly ſent him by Lady Gundrey, who then reſided at Thirſk-Caſtle, and he lived to the extreme verge of old age, being conſidered by the country people all around as a kind of rural divinity. When he died, Gundrey was deſirous of having this hermitage or cell to revert to her family again, as part of their poſſeſſions; but the Monks of Whitby put in a claim thereto; and it was not till after ſhe and her ſon had given them a good dwelling-houſe in York, and ſeveral other valuable conſiderations, that ſhe could have the cell, and its appendages, ceded to her.

That we may here at one view give the reader ſome idea of the numerous donations which were about this time made to Whitby Abbey, we ſhall next, from the Abbot's book, "By way of memorial, briefly ſet down what lands, 139
poſſeſſions, foreſts, churches, tithes, and liberties, the often-named William de Percy, ſurnamed *Aſgernuns*, and Alan de Percy his ſon, gave to our Monaſtery at Witeby, in its earlieſt times, before the ſaid William went to Jeruſalem; as alſo what other faithful chriſtians gave and granted thereto, for a perpetual alms."

THE MEMORIAL.

"THE town and ſea port of Witeby; [1] Overbury; Nedreby; that is Steinſecher; [2] Thingwal; Leirpel; [3] Helredale; [4] Gnip, that is Haucheſgard,

[1] High Whitby. [2] Highgate-Houe, or ſome place near it. [3] This is that Dale through which a nameleſs beck runs, which empties itſelf into the Eſk at Spittal-Bridge. [4] We ſtill have

Haucheſgard; Normaneby; Fieling, and the other Fieling; [5] Bertwait; [5] Setwait; Snetune; Hugelbardeby; [6] Soureby; Riſewarp; Neuham; Stacheſby; [7] Baldeby; [8] Breccha; [9] Flore; Duneſley; the Hermitages of Eſchedale and Mulegrif, and the foreſts belonging to the church of Witeby. The church of St. Mary in the ſame town, with [10] ſix chapels, viz. Filing, Hacheſgard, Snetune, Ugilbardeby, Dunſley, and Aſalneby, and all their Appendages. [11] Agge-Milne, Cocchemilne, Riſewarpe Milne, the new Milne, Fieling Milne.

"The town of Hachaneſſe, and the two mills, and the church of St. Mary in the ſame town; alſo the church of St. Peter, where our Monks ſerve God, die, and are buried; [12] Dales, Everlay, Broccheſey; and [13] Northfeld; without Danegeld. And Silfhou; Suthfeld; and the Cowhouſes at [14] Stoupe; and all [15] Gaiteley; and [16] Thornley; and [17] Keſebec; and [18] Bilroche. In [19] Uplium two tenth parts of the corn of that manor; as alſo at [20] Wiltune, at [20] Semar, and at [20] Nafretune. Likewiſe in [21] Lindeſey, at [21] Immingheham, at [21] Sumerledeby, at [21] Staintune, at [21] Caprimonte, at [21] Ludeford, at [21] Elchintune, at [21] Caletorp, at [21] Covenham, and at [21] Antneby. Half of the fiſhery at [22] Hergum.

"By the gift of Emma de Port, one dwelling houſe in Uſegate; and two carucates of land, the one in [23] Yſleham, and the other in [23] Sneiles Welle. By the gift of Richard de Percy of Duneſley, ſon of William de Percy *Ohtleſgernuns*, two tenth parts of the corn in the lordſhip of [24] Stacheſtun: As alſo the ſame in [24] Boitorp, by the gift of Hugh de Boitorp and Aaliza de Percy his wife, the niece of William de Percy and Serlo the Prior. By the gift of Walter de Percy de Rugemund, two carucates of land in [25] Newetune. By the gift of Alan de Percy le Meſchin, two carucates of land, the

have Gnipe-Houe not far from Haukeſgarth. [5] Whether Bertwait and Setwait are Thorp and Row in Fyling-Dales, I leave others to determine. [6] Sneton-Thorp. [7] Thoſe are the fields to the ſouthward of Dawn-Dinner-Hill. [8] Probably Croſs-Butts. [9] Thoſe are the fields adjoining to Flowergate. [10] We have already given an account of the building the Chapels of Fyling and Sneton. As for that at Haukeſgarth, it was built by Aſchetine, in the reign of King Stephen, and by him dedicated to All Saints. Ugglebardeby alſo was founded in the ſame reign, by the Abbot Nicholas; and the Chapels of Dunſley and Aiſlaby in the reign of King Henry II. by the Abbot Richard I. It is true we are not able preciſely to point out the year when each of them was built; but are poſitive they were all erected, and uſed as places of worſhip, before the year 1170, about which time it appears this memorial of ours was wrote. [11] Aggemilne, or Hagg-Mill, now commonly called Rigg-Mill, in whoſe neighbourhood there is a place which ſtill retains the name of the Hag, from whence it ſeems originally to have had the appellation of Aggemilne. [12] Dales, now called Harewood-Dales. [13] Though this village does not now exiſt, yet its ſituation may eaſily be gueſſed at, when we conſider it to be north from Suffeld. [14] This place is now generally called Stoupe-Brow. [15] Gaiteley muſt be ſome place not far from Stoupe-Brow; but its ſituation I leave others to determine. [16] Now commonly called Thorney-Brow. [17] A little rivulet in Harewood-Dales. [18] Now called Billery, on the weſt ſide of the demeſne lands belonging to Sir Charles Hotham in Fyling-Dales. [19] Uplium, or Upleatham, is ſituate on the borders of Cliveland. [20] All theſe villages lie to the ſouthward of Scarbrough. [21] All theſe places lie in Lincolnſhire. [22] Hergum, or Ergum, is in the Eaſt-riding of Yorkſhire, not far from Bridlington. [23] I am not able to give the reader any information where theſe two places lie, whether in Yorkſhire or Lincolnſhire. It is true we have Snileſworth in the North-riding; but whether it is a corruption from Sneileſwelle, I will not venture to ſay. [24] Staxton and Boithorp are both to the ſouthward of Semar. [25] This is Newton upon the Wolds.

[26] Now

the one in Hetune near [26] Rocheſburc, and the other in [27] Oxeneham. By the gift of William de Percy, ſon of Alan de Percy, our Patron, the church of Semar. By the gift of Alan Bucel, ſon of the aforeſaid Aaliza, the niece of William de Percy and Serlo the Prior, the church of [28] Hotune in Picheringelic; as alſo the land near Derewent, called Weſtcroft, with the Hermitage adjoining thereto, and common right of paſturage, for a perpetual alms, free and clear from every ſecular exaction or demand. By the gift of Ace, ſon of Wimund, of [29] Lochintun, nephew of William the Abbot, half a carucate of land in the ſame town of Hotune, and two oxgangs of land in [30] Middletune. By the gift of Folco, Cupbearer to Alan de Percy, two carucates of land in [31] Thouleſtune.

" In Scartheburc we have three dwelling-houſes; one of them the gift of Maurice, a Prieſt; another the gift of Richard, Prieſt of Kaiton; and the third the gift of Robert, the ſon of Aſchetun, the chapel-builder; and two oxgangs of land in [32] Kilverdeby. By the gift of Uctred, ſon of Thorkil de Cliveland, two carucates of land in [33] Briniſton, without Danegeld; and the mill belonging to the ſaid town. By the gift of Uctred, the ſon of Coſpatric, two carucates of land in [34] Kaitun. By the gift of Torfine de Alverſtain, ſon of the aforeſaid Uctred, two oxgangs of land in the ſame town. By the gift of Pagan de Wicham, half a carucate of land in [35] Wicham, and two tenth parts of the corn in the lordſhip of the ſaid town. By a grant and agreement with the Prior Wikeman and Convent of Bredlinton, the tithe of 140
fiſh from the fiſhermen at Fiveley, when they enter the port of Witeby; and in the ſame manner are the fiſhermen of Witeby to pay tithe at Fiveley. By the gift of William Bardolf, and Walter his ſon, one dwelling houſe in [36] Farmaneby. By the gift of the firſt Durand de Buttrewic, one carucate of land in [37] Butterwic, and two oxgangs of land in [38] Scameſton, and one mill. By the gift of Robert de Percy, ſon of Pichot de Percy, the church of [39] Suttun. By the gift of that moſt valiant Knight Alan de Munceus, and Ingeram his ſon, the church of [40] Berneſton. By the gift of Robert Thalun, one dwelling-houſe in [41] Ckelc. By the gift of William, Earl of Alba-Marly, half a mark of ſilver, which William, the ſon of Seir, pays annually out of his land at Newtun in Holderneſe. By the gift of Hugh Malet, and Margaret his mother, all their manor or lordſhip of [42] Rothewelle. By the gift of Walter de Cancy, and Anfrid his ſon, the church of [43] Scerpinbec,

[26] Now Roxburgh, near Kelſo in Scotland. [27] This is a little village about ſix miles to the ſouthward of Jedburgh in Scotland. Alan de Percy le Meſchin, is Alan de Percy the younger. [28] Hotune, now called Hutton-Buſhel, from the very antient family of Bucels or Buſhels, who were formerly the proprietors and pious owners of this place. When Aaliza, ſiſter to William de Percy the Abbot, was betrothed to Reginald Bucel of Hotune, the ſaid Reginald gave this church (built by his father) to Whitby Abbey. [29] Lochintun is near Beverley. Wimund was a younger ſon of Reginald Buſhel, by Aaliza his wife. [30] Middeltune is about a mile weſt of Pickering. [31] Thouleſtune is a village in the neighbourhood of Tadcaſter. [32] Killerby. [33] Burniſton in Richmondſhire. [34] Not far from Semar. [35] Near Semar. [36] Farmanby in Pickering Lyth. [37] In the Eaſt-riding. [38] In the Eaſt-riding, not far from the Wolds. [39] Sutton upon Derwent, near Wheldrake. [40] Burniſton, in Richmondſhire. [41] Kelſo, in Scotland. [42] Rothwell, near Pontefract, in the Weſt-riding. [43] Skirpenbeck, near Stamford Bridge, in the Eaſt-riding.

bec, and fifty acres of land in the ſame town: And by the purchaſe of Mr. Martin, the Monk, half a carucate and thirty acres of land, in the ſaid town. By the gift of William de la Fubble, two oxgangs and thirty acres of land, at [44] Battel-Bridge. By the gift of William Hay and Robert Chambord, the church of [45] Slingeby. By the gift of Roger the Abbot and Convent of Eveſham, the church of Huntendune, near York, whence we are to pay annually to the church of Eveſham ten ſhillings.

"By the gift of King William Ruffus, the ſon of William the Baſtard, King of England, the church of All Saints in Fiſchergate at York, with all its appurtenances, which he gave to Serlo the Prior, and to the Monaſtery of Whiteby, for a perpetual alms, on condition that the Monks of the aforeſaid church ſhould there ſerve God, and pray for him and his heirs. By the gift of Mr. Gernegot, three dwelling-houſes likewiſe ſituate in Fiſchergate, which are inhabited by William the ſon of Odo, and Leiſing, and Hugh Prieſt of Brantſpade; alſo Walter Leteler, one dwelling-houſe; Arnold, one dwelling-houſe; Siward, two dwelling-houſes; Hugh, ſon of Audoein, one dwelling-houſe, which was Wulfhet the ſmith's; William Brune, one dwelling-houſe; Henry, brother of William, in the ſame Fiſchergate, one dwelling-houſe; Henry le Corverſer, one dwelling-houſe; Gocelin de Aracy, one dwelling-houſe; Odo the clergyman, one dwelling-houſe; Benedict the clergyman, one dwelling-houſe; Gamels Burrigan, one dwelling-houſe. By the gift of Audoein, one dwelling-houſe in Walbegate, which Hugh his ſon inhabits. By the gift of [46] Roger de Mubray one dwelling-houſe at Foſſe-Bridge, (in exchange for Hod) which Richard the ſmith poſſeſſes. By the gift of Lewin Fardein we have one dwelling-houſe at [47] Merſc, which Walter Fardein poſſeſſes. By the gift of Emma de Port, one dwelling-houſe in Uſegate, which Thomas, the ſon of Ulfihet, inhabits. By the gift of John, the King's Lardiner, one dwelling-houſe in the ſame ſtreet, which John the clergyman his ſon inhabits. By the gift of Godefrid and Turgiſius, we have two dwelling-houſes in the ſame Uſegate, which Orm and Audoen held of us, and which Hugh, the ſon of Audoen, now poſſeſſes. By the gift of Geoffrey, ſon of the aforeſaid Audoen, we have certain land and houſing thereon, which Hugh his brother poſſeſſes. By the gift of Mr. Gernegot, we have one dwelling-houſe in Steingate, which Hugh, the ſon of William, the ſon of Toſtin, inhabits. By the gift of Pagan, mother of the aforeſaid William, one dwelling-houſe near St. Wilfrid's church in Bleikeſtrete, which Uctred Malherbe inhabits. By the gift of Arnegrun, one dwelling-houſe in Sceldergate, which Thomas Lolle inhabits. By the ſale of Reginald le Poer, we have all his land, and whatever was his right, viz. three dwelling-houſes in Sceldergate, and ſix oxgangs of land, and a certain meadow of land at [48] Torp, now in the poſſeſſion of Oſbert Buſtard, and one dwelling-houſe on the banks of the river Uſe, where

riding. [44] Now called Stamford Bridge, where King Harold fought the Danes. [45] Slingſby is in Rydale, in the North-riding. [46] Roger de Mowbray, ſon of Nigell de Albinny, by his wife Gundrey, was the firſt anceſtor of the preſent noble family of Norfolk. [47] In the North-riding, not far from the river Tees. [48] In the neighbourhood of York.

[49] Croſsby

where the ſaid Reginald le Poer lived, and which William, prieſt of Stokeſley, rented of us. Now the ſaid Reginald le Poer, with his heir, abjured and quitted all claim to that land; and, delivering the ſame into the hands of his Lord Roger de Mubray, gave, granted, and confirmed it to God, and to St. Peter and St. Hylda, and to our Monks of Witeby, for a perpetual alms.

" By the gift of Torfine de Alverſtain, the ſon of Uctred, the ſon of Coſpatric, the church of [49] Croſſeby Ravenſwart, with two carucates of land, and its other appurtenances, and one hundred and forty acres of land in the ſaid town. By the gift of Adam, the ſon of Viel, the church of [50] Kircheby, and the church of [51] Engleby, and the mill belonging to the ſaid town. By the gift of the firſt Robert, and Stephen del Manul, the church of Hatun in Cliveland, with all its appendages, viz. the chapels of Neutun under [52] Otneberch, and [53] Torp, and [54] Little Hatun. By the gift of Robert 141
de Brus, the church of the Abbeſs St. Hylda at [55] Midleſburch, and one carucate of land in the ſame town, and two carucates and two oxgangs of land in [56] Neweham, which he gave to God and St. Hylda, and to the Monaſtery of Witeby, for a perpetual alms, on ſuch condition that at Mandleſburch as many Monks from the aforeſaid church ſhould ſerve God and St. Hylda as the place would conveniently maintain, there to pray for him and his heirs, as his charter teſtifies. By the gift of John Ingeram, when he became a ſpecial brother, for the prayers and alms of the Monks, two tofts in the ſame town; as alſo nine acres of land in Brigeflat, and common right of paſturage in Merſc-Fitts. Likewiſe, by the gift of Aceline, four acres and a half. By the gift of Anfrid, one acre of land; and by the gift of Roger his ſon, three acres of land. By the gift of Robert Ramkil, three acres and one perch of land. By the gift of Henry Malet, four acres of land; as alſo nine acres by way of exchange. By the gift of William de Acclum, and Cecily his mother, four acres of land By the gift of Roger Kuſin, one acre of land. By the gift of Roger of [57] Martun, two acres of land in that town. By the gift of William, the ſon of Toſthine, two acres in Martun. By the gift of William of Thametun, two acres of land in Martun. By the gift of Robert de Baius, one acre of land in [58] Ormeſby. By the gift of Robert of Cleveland, one acre and one perch of land in Ormeſby. By the gift of Warner of Uppeſale, two acres of land in Ormeſby. By the gift of Unfred of Hotun, and Suſanna his wife, one dwelling-houſe in [59] Hotune. By the gift of Robert Foſſard, one carucate of land in [60] Rouceby. By the gift of Robert de Argentum, two oxgangs of land in Upplium. By the gift of Robert of Liverton, half a carucate of land without [61] Danegeld, with theſe additions which William de Canus purchaſed for us. By the gift of Walter de Argentum, and William de Percy of Duneſley, and Alice his mother, we have two oxgangs

[49] Croſsby Ravenſworth is in the county of Weſtmoreland. [50] Kirkby in Cliveland. [51] Ingleby in Cliveland. [52] Roſebury, a mountain on the confines of Cliveland. [53] and [54] Newton, Thorp, and Little Aton, are all in the pariſh of Aton. [55] Middleſborough is on the ſouth ſide of the river Tees, about five miles below Stockton. [56] Near Whitby. [57] In Cliveland. [58] In Cliveland. [59] Hutton Buſhell, near Semar. [60] About ten miles N. W. from Whitby. [61] Danegeld was a tax

of land in [62] Suth Lofthus. By the gift of the firſt William Wirfand, half a carucate of land in [63] Hilderwelle, with one dwelling-houſe. By the gift of William, of [64] Ochetun, part of a certain dwelling-houſe in that town.

"We have now enumerated thoſe donations which our above-mentioned benefactors have given us for a perpetual alms."

In the foregoing memorial are contained moſt of the principal donations made to the Monaſtery of Whitby during the firſt century after the conqueſt, ſome of which we ſhall have occaſion to mention more particularly in the courſe of our hiſtory, while we proceed to record the ſeveral events, occurrences, and tranſactions that happened at Whitby, according to the proper order of time.

About the year 1113, King Henry granted his royal charter to Oſmund a prieſt, and his fraternity in Godeland, as follows:

52 "HENRY, King of England, to T. the Archbiſhop, to Nigell de Albinny, to Oſbert the Sheriff, and to all his faithful ſubjects, greeting. Know ye, that I have given to Oſmund the prieſt, and his fraternity in Godeland, freely and quietly, for a perpetual alms, that place to lodge and entertain the poor, for the ſoul of Queen Matilda and her heirs: Wherefore I will and command, that theſe brethren in Godeland, and all pertaining to that place, may have my ſure peace, and that this alms may be as free and clear from Foreſters, and all other men, as any alms whatſoever in Everwykeſire. Alſo I charge you Nigell and Oſbert to give the ſaid Oſmund and his brethren Seizin of that place. Witneſs, R. de Brus, at Wynd."

Oſmund and his fraternity being accordingly put in poſſeſſion of Godeland, erected an hermitage, built a few huts, and lived there ſome time; but were ſo much ſtraitened in their circumſtances, that they found it neceſſary again to apply to the King, who granted them another charter, as follows:

52 "HENRY, King of England, to T. the Archbiſhop, to Nigell de Albinny, to Oſbert the Sheriff, and to all his faithful ſubjects, greeting. Know ye, that Oſmund the prieſt, and his fraternity in Godeland, to whom I gave that place, have, with my leave and conſent, ſurrendered themſelves, and their hermitage in Godeland, with all its appurtenances, for ever, to God, and the church of Wyteby, and to the Abbot and Convent of that place; engaging, in a chapter of the Monks, to conform to their habit of religion, and to live under their diſcipline, in perpetual obedience unto the Abbot whom they ſhall appoint; being to have a burying-place in the Cimitery of the Monks of that place: Wherefore I will and ſtrictly command, that the aforeſaid Abbot and Monks may always have the ordering and diſpoſing of the

tax firſt raiſed in England in the times of the Danes, ſomewhat reſembling our land-tax. [62] Not far from Rouſby. [63] About eight miles N. W. from Whitby. [64] Ochetun, Oketun, Aicheton, Ayketon, Echetun, or Egton, about ſix miles W. of Whitby, ſo called from the oak trees that ſurrounded it. As for Thametun, it is near Martun in Cliveland: And Upſall is in the neighbourhood of Thirſk.

the ſaid brethren, according to the rule of St. Benedict: And by this my charter, I confirm to them the aforeſaid hermitage in Godeland, with all its appurtenances, for a pure and perpetual alms; to be held by them ſo freely, quietly, and entirely, that no perſon on any account may intermeddle with the ſaid brethren in Godeland, and their hermitage, or its appurtenances, ſave only the Abbot of Wyteby, and ſuch as he ſhall appoint. Witneſs, Robert de Brus, at York."

Soon after this King Henry was pleaſed to grant another royal charter to the ſame brethren in Godeland, as follows:

"HENRY, King of England, to T. the Archbiſhop, to Nigell de Albinny, to Oſbert the Sheriff, and to all his faithful ſubjects, greeting. 52
Know ye, that I have granted, given, and by this my charter confirmed, to the fraternity in Godeland, that place in Godeland, with all its appurtenances; and alſo one carucate of arable land, ſuch as are the carucates of Phicrinc; with paſturage for all their cattel, in all my paſtures of Picrinch, as far as the bounders of the Abbot of Wyteby: Likewiſe whatever is neceſſary in my woods there; whether it be green wood to build houſes and make up hedges, or dry wood to burn in their fires. Wherefore I will, and ſtrictly charge and command, under the penalty of being deemed tranſgreſſors, that no perſon whatever diſturb them or theirs, or preſume any way to moleſt them in theſe things. Witneſſes, T. Archbiſhop of York, and Robert de Brus, at York."

This hermitage thus ceded to Whitby, with its lands and appurtenances, was always known by the name of St. Mary's in Godeland; and about forty years after this, another donation was made thereto, as appears by the following charter:

"WILLIAM Bore, to all that ſee or hear theſe letters, whether preſent 50
or to come, greeting. Know ye, that I have given, granted, and by this my preſent charter confirmed, to God and St. Mary's in Godeland, and to the fraternity ſerving God there, one toft in Locintun, *(near Beverley)* which is between thoſe of Thomas and Martun, for the ſouls of my father and mother, and for the ſalvation of my own ſoul, for a free, pure, and perpetual alms. Witneſſes, Geoffrey the chaplain; Hugh, prieſt of Pikering; Wigot, of Beverley; Richard, his brother; and others."

After this it continued an hermitage, and an appendage of Whitby Abbey, for many ages, being confirmed to the ſaid Abbey, not only by a particular charter granted by King John, but alſo by a bull obtained from Pope Honorius the third, in the time of the Abbot Roger: But, finally, it was converted into a chapel; in which condition it ſtill continues to theſe our days, though now ſtript of all its before-mentioned poſſeſſions, and having no longer any connection with Whitby after the diſſolution of our Monaſtery.

Among theſe Normans that came into England with William the Conqueror, Brus was a Nobleman, not of the loweſt rank. He had great poſſeſſions aſſigned him here in Yorkſhire, contiguous to the manors of William de Percy, which extended as far northward as the river Tees: On theſe he erected a noble ſeat or caſtle, at a place called Skelton, not far from Guiſbrough, where he, and the deſcendants of his family, generally reſided till they ſucceeded by inheritance to the crown of Scotland. The ſon of this firſt Brus was called Robert, who, about the year 1120, granted the following charter to the Monaſtery of Whitby:

23 "ROBERT de Brus, to all faithful ſons of holy church, greeting. Know ye, that I, and Agnes my wife, and Adam de Brus our ſon, for the ſalvation of our Lord Henry, King of England, and for a remedy to our own ſouls and theſe of our heirs, have given, granted, and confirmed, the church of St. Hylda the Abbeſs at Midleſburcd, with all things pertaining thereto, as alſo two carucates and two oxgangs of land at Nehuham, as a perpetual alms, to the church and fraternity of St. Peter and St. Hylda at Wyteby, on ſuch terms that there ſhall be always ſome Monks in the aforeſaid church of Midleſburc, ſerving God and St. Hylda of Wyteby, who may plentifully and ſufficiently live on the revenues of the ſaid church; and that the mother church of Wyteby ſhall have the overplus or remainder of theſe revenues. Witneſſes, William my chaplain; Arnald de Percy; Umfrid de Elthot; William de Fugeris; and many others."

The reader will eaſily perceive that the lands, revenues, and poſſeſſions of our Monaſtery, were now increaſing apace, and very different from what they had been in the days of Reinfrid, who, when he and his fraternity firſt came to ſettle at Whitby, were in want of every thing: Being poor, deſtitute, and friendleſs, their ſole dependence was upon Providence for a ſubſiſtence: But the ſimplicity and innocence of their lives, accompanied with unaffected piety and devotion, ſoon recommended them to the notice of their ignorant and illiterate neighbours, who, thinking they gained the favour of heaven by aſſiſting theſe ſervants of the moſt high God, vied with each other in contributing liberally towards their maintenance; the poor fiſhermen in particular, who then reſided upon the coaſt, when they came into port with ſtore of fiſh in their boats, never failed to make them a preſent of ſome part of their cargo, only deſiring, by way of return, to have ſome inſtructions what they ought to do to be ſaved, and, on their putting out to ſea again, their prayers for the like ſucceſs. This practice continued for many years, the Monaſtery all the while ſtill increaſing in lands and poſſeſſions.

When the Monks were grown rich and opulent, then, if they had acted with the ſpirit of chriſtians, was the time for them to have relinquiſhed thoſe alms they had been ſo long accuſtomed to receive from the harmleſs and well-meaning fiſhermen: But ſo far were they from this, that what they had long received by way of benevolence, they now claimed as their right and due, and inſiſted they had a juſt title thereto, as being the conſtant practice of the place from

from the time of their firſt reſidence there. Thus did this induſtrious and undeſigning race of mortals intail a yoke upon themſelves and their poſterity, under which they ſtill groan, and which will moſt aſſuredly hinder the fiſhery on our coaſt from ever being in a flouriſhing condition ſo long as this tithe continues to be exacted.

The Abbot William was very anxious after this tithe of fiſh, and uncommonly ſolicitous, leſt he ſhould be deprived of any part of that which he believed to be his due. Our fiſhermen, when at ſea, ſometimes met with ſtormy weather, and not being able to make the port of Whitby, were obliged to bear away for ſome other part of the coaſt, where they might obtain ſecurity. In this extremity they had frequently got into Fiveley, or Bridlington Bay, where they landed and ſold their fiſh, but not before Wikeman, the Prior of a Convent newly erected there, had exacted tithes of them. This the Abbot William greatly reſented, inſiſting the tithe was his due: But the Prior granting him no redreſs, a law-ſuit was commenced; and, after much jarring and contention, Hugh, Dean of York, was appointed by his Holineſs the Pope to take cognizance of this affair, and to determine between the two parties what to juſtice ſhould appertain. Accordingly we find his ſentence or decree hereupon, made anno 1122, preſerved in the following record:

"HUGH, the Dean, and Chapter of St. Peter's at York, to all ſons of 126
holy mother church, greeting. Know ye, that we, by this our preſent charter, atteſt the hand-writing and agreement made between Lord William, the Abbot of Whiteby, and Mr. Wicheman, Prior of Brydlington, and the Convents of both theſe places, viz. That the fiſhermen of Whiteby, when they put in at Fiveley, ſhall there faithfully pay their tithes for ever: And likewiſe the fiſhermen of Fiveley, when they put in at Whiteby, ſhall there faithfully pay their tithes for ever. Witneſſes; Gernagot, Toſtine, and Ranulf, Canons; Mr. William; Thomas de Uteruſe; and Outhen."

This is the oldeſt regulation, or law, now remaining upon record any where in England, with regard to the tithe of fiſh, whence the cuſtom long afterwards was eſtabliſhed upon the Yorkſhire coaſt, that fiſh ſhould be tithable in that manor where it came aſhore and was ſold: Though even that cuſtom has in theſe our days been departed from, for reaſons which it is not our buſineſs here to inquire into; only it muſt be obſerved, that the Prior Wikeman from this decree gained a conſiderable advantage over the Abbot William; ſince for one fiſhing boat belonging to Fiveley, or Bridlington, that put in at Whitby for ſhelter, ten at leaſt were forced from Whitby to ſeek for refuge at Fiveley, or Bridlington.

When ſo much fiſh was taken upon the coaſt, it is natural to ſuppoſe that ſalt would be wanted, which in thoſe early times was not eaſy to be procured from diſtant parts of the kingdom, on account of their little experience in the art of navigation: And though it is a conſiderable time after this before we find mention made of Saltwick, yet it is hardly to be doubted but ſalt was made there in the days of the Abbot William, if not ſooner, as we find pick-

led

led herrings were uſed at Whitby before the year 1200. However that be, nothing is more certain than that Saltwick was the place where that neceſſary article was long made; and what remained, over and above the conſumption thereof by the fiſhermen, was carried over the moors into other parts of the nation where ſalt was wanted. In confirmation of this, we find a village on the moor ſtill called Saltergate, being a reſting-place on the road, by which the ſalters then, and our carriers now, have always been uſed to paſs.

Salt continued to be made at Saltwick for a conſiderable time after the diſſolution of our Monaſtery: But when the allum-works came to be erected there about the end of the reign of King Charles I. the makers of ſalt, being much incommoded thereby, found it neceſſary to remove from thence to a place in Whitby, adjoining the ſalt-pans well, where conveniences were made them by Sir Hugh Cholmley, and where the making of ſalt was continued for ſome time. But new works of the ſame kind being after that erected at Shields, Sunderland, and other places along the coaſt, the profits ariſing from thence at Whitby were found to be ſo inconſiderable, that it was judged moſt adviſable entirely to drop the making this uſeful commodity.

In the year 1123, Robert de Mainill, and his wife Gertrude, gave the church of Aton, with its chapels and other appurtenances, as alſo four oxgangs of land, and ſome houſing, to the Monaſtery of Whitby, for a perpetual alms; but their charter for this donation is not now to be found among our records.

65 That ſame year "William, by the grace of God, Abbot of Wyteby, with the conſent of the whole Chapter there, granted to Aſcatine, the ſon of William, and his heirs, as a freehold and inheritance, Houkeſgar and Normaneby, by way of exchange for Neweham, with all their appurtenances, whether in woods, in plains, in meadows, in waters, or in paſtures. On this condition Aſcatine gave two oxgangs of land, and a way into the hermitage, *(dedit duas carucatas boum et unum Hercatorium ingreſſum* *.*)* To be held of the Convent of Wyteby, freely and clearly, on yielding and paying yearly twenty four ſhillings for the ſame, and two days ſervice, one with his plowers, and the other with his reapers, *(et duas precationes, unam de carucis, alteram de meſſoribus)* for all ſervices. To which charter theſe are witneſſes, viz. Alan de Percy, John Arundel, Gilbert ſon of Fulch, Richard of Lindeſay, and others."

John Arundel, who is a ſubſcribing witneſs to this charter of Aſcatine's, lived at Sneton, where, and in the neighbourhood of Whitby, he had very conſiderable poſſeſſions. There is a place not far from Flowergate-Croſs, which from him is called the Arundels to this day. He was, after the families of Percy and Brus, the firſt in rank of all thoſe who reſorted to or were known

* Theſe are the words of the original, my tranſlation of which, I am very ſenſible, may be diſputed; but *hercatorium*, I think, is by miſtake wrote for *hermitorium*, becauſe the hermitage at Haukeſgarth ſtood in the middle of an incloſure which was then ceded to Aſcatine. Several other paſſages in this charter are dark and myſterious, particularly that where I have quoted the Latin for the two prayers or two days ſervice.

known at Whitby. His father lived in the days of William the Conqueror, and was called ſimply Harundel, being one of thoſe adventurers that came into England at the Conqueſt, as appears by Battel-Abbey Roll. He ſeems to have been a conſiderable perſon in the retinue of William de Percy, and to have been requited for the ſervices he performed out of thoſe lands aſſigned by the Conqueror to that nobleman. His rank ſeems to have been the chief reaſon that his ſon was dignified with a ſurname, a thing at that time rarely to be met with in England. For then, and many ages after that, it was uſual to diſtinguiſh particular perſons by the places of their reſidence; as William of Haukeſgarth, John of Neuham, Richard of Lyth, &c. or by the names of their fathers after their own names; as Aſcatine the ſon of William, Hugh the ſon of Ivo, Robert the ſon of Pichot, &c. or elſe by the particular trade which they followed; as Thomas the taylor, Walter the ſmith, John the carpenter, &c. However, after this period, we find the uſe of ſurnames inſenſibly gaining ground, many being mentioned in our records, whoſe poſterity ſtill remain among us: But among theſe not any now uſed at Whitby, or in the country adjacent, is earlier, or of a more antient date, than the name of Arundel, excepting that of Sedman, theſe of Percy and Brus being no longer to be found among us.

John Arundel, though he is frequently mentioned in our records, ſeems never to have made any conſiderable donation to the Monaſtery of Whitby; on the contrary, he incloſed with an earth-dyke a part of the moor to the weſtward of Dunſley, in which the Monks of Whitby had a property, and which they inſiſted he had no right to do; but it was not till after they had proſecuted him, and taken him into cuſtody, that he was induced to grant them the following charter:

"KNOW all men, preſent or to come, that I John Arundel have granted, and by this my preſent charter confirmed, to the Monaſtery of Wyteby, and to the Monks ſerving God there, two ſhillings yearly, to be received from me and my heirs for ever, viz. twelve pence every Whitſuntide, and twelve pence more every Martinmas, for an encroachment in the land lying between Buſcohoued *(Buſcohead)* and Bruſegarth, unjuſtly incloſed by me with an earth-dyke, contrary to the will of the ſaid Monks. Witneſſes, Ralph ſon of William, at that time conſtable of Scartheburg; G. a clergyman, at the ſame time Seneſchal of Witeby; Robert of Buleford; and others." 21

In the year 1124, "Durand de Butervic, with the conſent of his wife, his heir Geoffrey, and all his other ſons, for the ſalvation of their bodies and ſouls, and that of all their friends, gave to the church of St. Peter and St. Hylda at Wyteby, and to all the ſervants of God there, for ever, a carucate of land in Butervic, free and clear from every ſervice except Danegeld. And of this land, on his behalf, his ſons Randolph and Ralph gave ſeizin to the Monks of Wyteby, in the preſence of William of Boitorp, and many others. Moreover, with the conſent of his heirs, he gave them, upon the ſame terms, at Scameſtun, a mill and two oxgangs of land. Theſe donations he, and his heirs 56

heirs Geoffrey and Walter, offered up on the high altar of St. Peter and St. Hylda at Wyteby. Witneſſes, Robert, Prieſt of Kirkeby in Crandale; Auſchetine of Ouſegarth, and his brethern; and others."

In about two years time after making this donation, Durand renounced the world, and became a Monk in Whitby Abbey, where he ſpent the remainder of his days.

64 Alſo in this ſame year 1124, "Robert Foſſarth granted to St. Peter's at Wyteby, and to all the fraternity ſerving God there, the carucate of land in Buttervic, which Durand his homager at Buttervic had given to the ſaid church, free and clear from every ſervice pertaining to him; but Durand's heir was to be anſwerable for all ſervice pertaining to the King for the ſame, except Danegeld. Now this gift he offered up by his ſtaff (together with Geoffrey the heir of Durand) on the high altar of St. Peter's at Wyteby; of which donation the witneſſes were, Richard de Percy, and Alexander his ſon; Aſcheutun of Houkeſgard; and others."

56 Some time after this, "William de Veſcy," *(a gentleman of Norman extraction, who took that ſurname on account of being ripped or cut out of his mother's womb)* by his charter directed, "to all his homagers, French or Engliſh, as alſo to all that ſhould ſee or hear theſe letters, granted and confirmed to the church of Wyteby, and to the Monks ſerving God there, for the ſouls of his father and mother, freely, ſolidly, and quietly, the mill at Scameſtun, with two oxgangs of land and a toft in that town, which Durand de Buttervic gave to the ſaid church for a perpetual alms. Wherefore he willed and commanded the church of Wyteby to poſſeſs the aforeſaid land and mill, with their appurtenances, viz. the water courſe, the mill-dam, the way, and all other things, as freely, ſolidly, and quietly, as Durand gave them, or as he poſſeſſed them in the time of Veſcy's father. Witneſſes to which things are, William Latimer, Walter the Chaplain, Wido Cancy, William ſon of Waloon, and others."

In the year 1125, "Robert ſon of Fulco, with the conſent and leave of his Lord William de Arches, granted, and by his ſtaff offered up on the high altar to
20 God and the fraternity in Wyteby church, two carucates of land in Toleſtun, *(ſee page 62)* for the ſalvation of his own ſoul, and for the ſouls of his anceſtors and all his friends, for as free and quiet an alms as his father Fulco had long before that given theſe carucates to the church and fraternity aforeſaid. At making this donation the following witneſſes were preſent, viz. * William de Percy the Canon; Alan, ſon of Alan de Percy; John Arundel; and others."

In the year 1126, the Percy family, having very conſiderable poſſeſſions aſſigned them in Scotland by King David, were not forgetful of the Monaſtery at Whitby founded by their munificence, but now again out of thoſe lands

* Though William de Percy is here only ſtyled a Canon, yet I make no doubt he is William the Abbot. Not only in this, but alſo in Fulco's charter, his name in the original is wrote exactly the ſame, viz. *Will. Canonicus de Perci.*

lands contributed liberally towards its ſupport, as will better appear by the following charters, which I have inſerted at large.

"KNOW all men who ſee or hear theſe letters, that I, Alan de Percy, for the ſalvation of my own ſoul, and for my Lord King David, and his ſon Earl Henry, and for the ſoul of Alan de Percy my father, and for the ſoul of my mother, and for the ſouls of my heirs and all my anceſtors, have given to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Monks performing divine ſervice there, two carucates of land, the one in Oxeneham, and the other in Hettune, with the common eaſements in both towns, for a perpetual alms, free and clear from every ſecular ſervice or demand. Witneſſes, William de Percy, my brother; Walter de Percy, my brother; Geoffrey de Percy, my brother; Henry de Percy, my brother; Pichot de Percy; and others." 15 *and* 55

"TO all ſons of holy mother Church, and to all men whether preſent or to come, Geoffrey de Percy, greeting in Chriſt. Know ye, that I have given and granted to God, and St. Peter and St. Hylda of Wyteby, and to the Monks performing divine ſervice there, one carucate of land in Oxanaham, for the ſalvation of the ſoul of King David, who gave me the aforeſaid land, and for the ſalvation of the ſoul of Earl Henry, and of their ſons and daughters; as alſo for the ſalvation of the ſouls of my father and mother, and of my own ſoul, and theſe of my brothers and anceſtors, for as free and clear an alms as any church holds or can hold any alms whatſoever. Witneſſes, Gosfrid the clergyman, my brother; Robert Tyrel; Alan, ſon of Ranulf; Godefrid de Bellung; and others." 15

"TO all ſons of holy mother church, Henry de Percy, greeting in Chriſt. Know all of you, that I have granted, and by my charter confirmed, to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Monks performing divine ſervice there, for a perpetual alms, thoſe donations given them by Lord Alan de Percy my brother, being two carucates of land, one of which is in Oxanaham, and the other in Hetune; as alſo the donation of one carucate of land in Oxanaham, which Geoffrey my brother gave unto the ſaid church for a perpetual alms, to be held as freely and quietly as any other church can poſſeſs any alms whatſoever. Witneſſes, Geoffrey de Percy, my brother; Robert de Percy, my brother; John, ſon of Robert de Percy; Gosfrid the clergyman, my brother; Robert, ſon of Walter de Percy; Gilbert, ſon of Hugh de Percy; Geoffrey de Tybatorp; Gilbert, ſon of Roger; Geoffrey de Boſco; Norman the Cook; William, ſon of Daniel; Robert the Cook." 15

"KNOW all Men who ſee or hear theſe letters, that I, Geoffrey de Percy, have granted to the church of St. Peter and St. Hylda at Witeby, two carucates of land, and all things pertaining to them, which Lord Alan my brother, in his life-time, gave to the ſaid church for ever, for the re- 16

demption

demption of his own ſoul, and the ſalvation of his anceſtors, free and clear from all ſervice, whether in woods or plains, in meadows or ponds; the one of which carucates is in Oxanham, and the other in Hetune. Witneſſes, Henry de Percy; Robert Tirel, and his brother Alan; and others."

16 "DAVID, King of Scotland, to his Biſhops, Abbots, Earls, Juſtices, Barons, Sheriffs, Rulers, ſervants, and all the men in his whole kingdom, Clergy and Laity, preſent and to come, greeting. Know ye, that I have granted, and by this my charter confirmed, to God, and the church of Wyteby, and the fraternity of Monks ſerving God there, the alms which Alan de Percy, and Geoffrey his brother, gave to God and the church of St. Hylda at Wyteby, viz. one carucate of land in Hetune, and another in Oxenam: To hold that land of me and my heirs, for a perpetual alms, free and clear from every ſecular ſervice and exaction. Witneſſes, William, Abbot de Caſtello Puellarum *(either Edinburgh or Brough under Stainmore)*; Walter, a chaplain; Ha, chaplain of Rocheſbur; and Duncan, Earl de Caſtello Puellarum."

16 "TO all ſons of holy church and faithful chriſtians, Philip de Colevile, greeting. Know ye, that I have granted, and by this my charter confirmed, for a perpetual alms, the donation which Alan de Percy made to the church of Wyteby, viz. two carucates of land, the one in Oxanaham, and the other in Hetune, free and clear from every ſervice, cuſtom, or exaction; and in as free, clear, and honourable a manner as any alms poſſeſſed by the ſaid church. Witneſſes, Alaman de Colevile; William de Annei; William de la Haie; Gilebert, ſon of Roger; and others."

16 "TO all ſons of holy mother church, Thomas de Colevile, greeting. Know ye, that I have granted, and by this my charter confirmed, for a perpetual alms, the donation which Alan de Percy made to the church of St. Peter and St. Hylda at Wyteby, and to the Monks of that place ſerving God, viz. two carucates of land, the one in Oxenham, and the other in Hetune, for the redemption of my own ſoul, and for the ſalvation of my anceſtors, free and clear from every ſecular ſervice, cuſtom, or exaction, whether in woods or plains, in meadows or ponds; that they may poſſeſs the aforeſaid alms as freely, quietly, and honourably, as any other alms belonging to the ſaid church. Witneſſes, William, the ſon of John; Roger de Brachelay; Geoffrey Ridel; Simund de Grumbeheued; Alaman; and others."

15 "MALCOM, King of the Scots, to his Biſhops, Abbots, Earls, Juſtices, Barons, Rulers, Servants, and all the men in his whole kingdom, Clergy and Laity, preſent and to come, greeting. Know ye, that I have granted, and by this my royal charter confirmed, to God, and the church of Wyteby, and to the fraternity of Monks ſerving God there, the alms which Alan de Percy, and Geoffrey his brother, gave to God and the church of St. Hylda at Wyteby, and which King David my grandfather confirmed to them, viz. one carucate of land in Hetune, and another in Oxenham: To hold that

that land of me and my heirs, for a perpetual alms, free and clear from every ſecular ſervice and exaction, as the charter of my grandfather, King David, teſtifies. Witneſſes, Andrew, Biſhop of Cateneſs; George or Gregory, (gg) Biſhop of Dunch'; Walter the Chancellor; Walter, ſon of Alan; Gilbert de Umfraville; and others."

Theſe eight preceding charters ſeem to have been all wrote at different times, within a period of about 30 years; by the three firſt of which it ſhould ſeem the donation contained three carucates of land; but by the other five, as well as the memorial, it clearly appears their number was only two. I have been the more careful in copying out theſe charters, to ſhew the reader that Alan de Percy had many ſons alive at the time of his death, (which I apprehend was about the year 1128 or 1129) though it is aſſerted by ſome that he died without iſſue, which is a thing that never can be admitted while our records are in being, for they every where abound with proofs to the contrary. The family of Alan de Percy (excluſive of the Dunſley family) were very numerous in the days of King Henry I. for the truth of which I appeal to the above charters, and alſo to ſeveral others which will be inſerted in the courſe of this hiſtory: But it would be a thing foreign to our purpoſe to give a particular account of theſe deſcendants, and to trace out all the iſſue of that family; ſuffice it here for us to obſerve, that William, his eldeſt ſon, was living ſo late as the year 1168, he being then a ſubſcribing witneſs to the charter of King Henry II. as will appear afterwards.

But enough of this: Let us now, for a while, convert our attention to the Buſhell family, whoſe heir, Reginald, we have already obſerved, was married to Alice, the Abbot William's ſiſter. The father of this Reginald came into England with William the Conqueror, as appears by Battel-Abbey Roll, and had conſiderable poſſeſſions aſſigned him in a place not far from Semar, which, from him, was afterwards called Hutton-Buſhell. Here he built a church, which his ſon Reginald, as is before obſerved, at the time of his marriage, gave to the Monaſtery of Whitby. Reginald had two ſons, Alan the eldeſt, his heir, and Wimund, ſurnamed of Lockington, from the place of his reſidence. From this Alan we have the following charter for the church of Hoton, which, after his father's death, in the year 1127, he confirmed to Whitby Abbey.

"TO all faithful ſervants of God, preſent or to come, Alan, ſon of Reginald Buſcel, greeting. Know ye, that I Alan, the ſon of Reginald Buſcel, have given to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Monks performing divine ſervice there, for a perpetual alms, for the ſouls of my father Reginald Buſcel, and of my mother Alice de Percy, and for the ſouls of all my anceſtors, and for myſelf and my heirs, the church of Hotun, with all its appurtenances, and alſo one carucate of land in that town, adjoining to the ſaid church, free ahd clear from every ſecular ſervice, cuſtom, or exaction, ſave only ten ſhillings, which the Abbot and Monks of Wyteby ſhall pay annually for the King's Sochage out of the 62

aforeſaid carucate of land. Now this donation, (viz. the church of Hotun, in Pikiringelit, with the aforeſaid carucate of land) I have offered up on the altar of St. Peter and St. Hylda at Witeby, and confirmed the ſame by this my charter, before theſe witneſſes, Ralph, of Everlay; Aſtine, of Houkeſgard; Richard, ſon of Nigell; Norman, the King's ſervant; and others."

Afterwards, in another charter, this ſame Alan Buſcel, after giving and confirming to the Monaſtery of Whitby, the church of Hotun, with common right of paſturage, and other eaſements belonging to his land, free and clear from every ſervice due to him and his heirs, except ten ſhillings for the
61 King's Sochage, ſays, "Now I and my heirs will acquit that carucate of land belonging to the church of Hotun from wapantake and ſhire ſervice, and alſo from every ſervice pertaining to the Sheriff; and I offer up this alms upon the altar of St. Hylda, confirming the ſame by my charter before theſe witneſſes, Ralph, of Everlay, and Ivo his ſon; Alan, of Everlay; Aſtine, of Houkeſgart, and his two ſons; and others."

Again, in another charter ſubſequent to this, the ſame Alan Buſcel ſays,
60 "I give to the church of St. Peter at Wyteby, and to all the ſervants of God there, for ever, the church of Hotun, with every thing pertaining thereto, which my father gave to the ſaid church of St. Peter long before me, for the ſalvation of his own ſoul, and my ſoul, and the ſouls of all his anceſtors. Now I offer up this donation on the high altar of St. Peter's at Wyteby by a knife, and confirm the ſame before many men, of which theſe are witneſſes whoſe names are hereunto annexed, viz. Mr. Hugh, the Archdeacon; Mr. Cuthbert, Prior of Giſburn; Vincent, a Canon of Kircham; Almery de Bardenay; Goſzeline, Prieſt of Mideltun; and Gervaſe the Prieſt, his nephew (*Nepos ejus*); Walter Blanethabarba; William de Rudeby; Roger, Prieſt of Eſinetun; and others."

In the year 1127 died William de Percy, the firſt Abbot of Whitby, with the character of a ſaint, as aſſerted by ſome, on account of the Abbey church built about 12 years after his death, on that plat of ground where the Hermitage of Robert de Alneto ſtood; which church was dedicated to the Virgin Mary and St. William, viz. William de Percy the Abbot, as they ſay: But in this I beg leave to be of a different opinion; for, allowing St. William, here mentioned, to be William de Percy, thereby I apprehend is underſtood William de Percy the elder, who died in the Cruſade, near Jeruſalem, and who, of courſe, as well as all others who loſt their lives in that expedition, was intitled to canonization by the Pope's Bull, in which his holineſs aſſured the chriſtian world that the ſouls of all thoſe pilgrims, on being ſeparated from their bodies, ſhould immediately be admitted into Paradiſe, without either approaching Purgatory or the Limbus Patrum, much leſs running any danger of puniſhment in the infernal regions for an immoral or diſſolute courſe of life.

After the death of William de Percy, never any other deſcendant of that family was choſen to be Abbot of Whitby; for though Alan de Percy had a ſon called Gosfrid, who was a clergyman, and who was probably intended for a ſucceſſor to his couſin, yet he, during his couſin's life-time, being otherwiſe more honourably provided for, (by being elected Abbot of St. Ma-

ry's

ry's at York) fruſtrated that deſign. Wherefore a Monk, called Nicholas, the intimate friend and acquaintance of Thurſtan, then Archbiſhop of York, by the intereſt of the ſaid Archbiſhop, was choſen to ſucceed William, as Abbot of Whitby.

Soon after his election, Thurſtan gave a character of him to King Henry I. who, confirming the choice made by the Chapter of Whitby, was pleaſed to grant the following royal charter to the Monaſtery there:

"HENRY, King of England, to Euſtace, the ſon of John, to Walter Eſpec, to Bertram de Bolemer, and to all his ſervants and faithful ſubjects in Eboracſchire, greeting. Know ye, that I have granted and confirmed to God, and the church of St. Peter and St. Hilda at Whiteby, and to the Monks performing divine ſervice there, the church of Aton, in Cliveland, with its appurtenances, for a perpetual alms, for the ſoul of my father, King William, and for myſelf and my heirs. Alſo I grant and confirm to the aforeſaid Monks of Whiteby, the church of Mydilſburgh, with its appurtenances, that they may poſſeſs and enjoy it as their free and proper cell. Witneſs, S. Chancellor, at Weſtminſter." 114

This laſt-mentioned church, given to Whitby Abbey by Robert de Brus, was dedicated to St. John the Baptiſt, and St. Hylda; but the name of Hylda was in ſo much fame, and the name of the Baptiſt was ſo little known in theſe parts of Yorkſhire, that it was generally called the church of St. Hylda, at Middleſburgh, without any further epithet. This ſame Robert de Brus, in the year 1128 or 1129, founded a Priory at Giſeburn, now called Guiſbrough, which he endowed with ſuch large revenues that it conſiderably impaired his fortune, little to the ſatisfaction of Adam, his ſon and heir.

Thurſtan, fond of embracing every opportunity whereby he might ſhew his regard to the Abbot Nicholas, applied to Rome, and procured for him a charter, or bull, from Pope Honorius II. of which the following is an exact tranſlation:

"BISHOP Honorius, a ſervant of the ſervants of God, to his beloved ſon Nicholas, Abbot of the Monaſtery of St. Peter at Wyteby, and to his ſucceſſors regularly choſen for ever. The taſk of the paſtoral duty is committed to us by God, to the end that we may endeavour to eſtabliſh religion in the manner that is moſt agreeable to the divine nature, and preſerve it with the utmoſt diligence after being ſo eſtabliſhed. Wherefore, beloved ſon in the Lord, Abbot Nicholas, induced by the intreaties of our venerable brother Turſtine, Archbiſhop of York, we have thought proper to lend an ear to your reaſonable requeſts, and order that whatſoever poſſeſſions the Monaſtery of Wyteby, where, by the divine favour, you preſide, doth juſtly and lawfully enjoy, ſhall remain perfect and entire to you and your ſucceſſors: As alſo that whatever donations you may henceforth obtain, whether by the grant of Popes, the liberality of Kings, the bounty of Princes, the benevolence of faithful Chriſtians, or by any other juſt ways and means, ſhall be preſerved to you 31

you firm and entire, only excepting what is due, through juſtice or reverence, to your Dioceſan Biſhop. And we decree that it ſhall be lawful for no man raſhly to diſturb the ſaid Monaſtery, or to take away its poſſeſſions, or to keep, retain, or diminiſh them when ſo taken away, or to injure your fraternity with vexatious law-ſuits; but every thing ſhall be preſerved for the ſupport and management of thoſe for whom it is intended, ſo as to be of the moſt uſe and advantage to them. And if any one ſhall dare, with raſh attempt, to contradict what we hereby eſtabliſh, be it known to him, that unleſs he correct his preſumption, by making proper ſatisfaction, he will incur the ſentence of our anathema. Dated at the Lateran, on the 5th of the Ides of December."

This charter, or bull, from Pope Honorius, though without the date of the year of his pontificate, ſeems to me to have been obtained either in the year 1128 or 1129. Not long after this, viz. anno 1130, Archbiſhop Thurſtan granted Nicholas and his Monks the following charter, as their Dioceſan Biſhop, or rather as Primate of all England, an honour which he always aſſumed to himſelf, notwithſtanding the claim made thereto by the Archbiſhop of Canterbury.

52 "THURSTINE, by the grace of God, Archbiſhop of York, to the
54 Chapter of St. Peter's at York, and to all his pariſhioners, greeting,
78 and heavenly benediction. It is a part of our duty, with paſtoral care to defend the lands and poſſeſſions of eccleſiaſtics, eſpecially ſuch as are conferred upon religious houſes, and to eſtabliſh the ſame in perpetual firmneſs. On this conſideration therefore we confirm, for a perpetual alms, to the Monaſtery of St. Peter and St. Hylda at Wyteby, and to the Monks performing divine ſervice there, the church of St. Mary at Wyteby, with the chapels of Snetun and St. Stephen at Philinch, and other chapels pertaining thereto; and the church of St. Mary at Ahknes, with its appurtenances; and the church of Hoton, with its appurtenances; ſaving the right of the church of York, and epiſcopal uſages; excepting that the church of St. Mary at Wyteby ſhall be free from ſynodals. Moreover we grant and confirm to the ſaid church, all thoſe liberties which the churches of St. Wilfrid at Ripun, and St. John at Beverlac, poſſeſs or enjoy, viz. *ſinodum quietam, et ſacrum criſma, et ferrum judiciale cum pertinentiis ſuis, et foſſam cum omnibus quæ ad eam pertinent*; as likewiſe all other privileges which our predeceſſors have granted and confirmed to that church. Alſo we confirm to the Monaſtery of Wyteby, and to the Monks of that place, the church of All Saints in Phiſchergate at York, with its appurtenances, free and clear from every epiſcopal uſage, and with ſuch liberties as the churches of St. John at Beverlach, and St. Wilfrid at Ripun, now enjoy. Likewiſe we confirm to the aforeſaid Monaſtery of Wyteby, the church of St. Hylda at Midleſburc, with its appurtenances, to be a cell for their Monks, free and clear from every epiſcopal uſage. Witneſſes, Hugh D'e; Hugh, the Archdeacon; Gosfrid, Abbot of St. Mary's at York; Richard de Fontibus; Gernegot, a Canon; William, a Canon; Odo, Prieſt of Brumpton; and Edmund, Prieſt of Whiteby."

In

In regard to this charter it will be neceſſary to inform the reader, 1. That the *ſinodum quietam*, allowed to the Abbots of Whitby, was an exemption from attending viſitations, convocations, or any other aſſemblies of the clergy. 2. That the *ſacrum criſma*, or holy chriſm, which Thurſtan here gives the Abbots of Whitby a privilege to make, is a certain compoſition of oil and balm, uſed by the Roman Catholics in ſeveral of their ſacraments. On Maundy-Thurſday, (being the Thurſday next before Eaſter) in Popiſh countries, the Biſhop of every dioceſe annually conſecrates, or ſolemnly bleſſes, a certain quantity of oil of olives, for the uſe of extreme unction; and from this oil, made up or compounded with balm, is formed the holy chriſm. 3. That the *ferrum judiciale*, or the ordeal trial, was a trial which women accuſed of incontinency underwent; being nine coulters, or bars of iron, laid red hot upon the ground, at a certain diſtance from each other; and if the woman accuſed paſſed over them, hood-winked and barefoot, without being burnt, ſhe was acquitted. Thoſe that underwent this trial uſed to faſt three days before. And, 4. That the *foſſam* was alſo a ſolemn appeal to heaven for the innocency or guilt of ſome particular offenders, which was to be performed by throwing the party accuſed into a pond or ditch filled with water, to ſee if they would ſink or ſwim; by which they formed conjectures whether they ought to be acquitted or capitally puniſhed: And from hence moſt aſſuredly was derived the vulgar method formerly uſed for judging old women accuſed of witchcraft.

We have already taken notice of the death of Alan de Percy, who was buried in Reading Abbey, and ſucceeded by William de Percy, his eldeſt ſon and heir. He, about the year 1134, confirmed all thoſe donations and grants that had been made by the Percy family to the Monaſtery of Whitby, as appears by the following charter:

"KNOW all ſons of holy mother Church, preſent or to come, who ſhall ſee or hear theſe letters, that I William de Percy have given, granted, and confirmed to God, and the church of St. Peter and St. Hylda at Whitby, and to the Monks performing divine ſervice there, for a pure and perpetual alms, for my Lord Henry King of England, and for his heirs, and for the ſouls of William de Percy my grandfather, and Alan de Percy my father, and Emma de Gant my mother, and all my anceſtors, and for myſelf and Alice my wife, and for our heirs, viz. Whitby, where the aforeſaid church is; and the church of St. Mary in that town; and the ſea-port, with all its liberties and appurtenances; and Nidreby, Overby, Haucheſgard, Normanneby, Fieling, the other Fieling, Staupe, Snetune, Uglebardeby, Soureby, Neweham, Duneſlac, Stakeſby, Brecca, Baldeby, and Flora; and Hachaneſſe, and the church of St. Mary in that town, and the church of St. Peter, with its appurtenances, that ſome Monks from the aforeſaid church of Whitby may continually remain there, to ſerve God and St. Hilda, and to pray for the before-mentioned ſouls; and Northfled, Suffled, Everley, Brocheſey, and Torneſley; and the church of Samar, with its appurtenances; and two tenth parts of the corn 7

(bladi)

(bladi) in all my lordſhips or manors, whereſoever cultivated or ſown, either in my time or the time of my heirs, viz. in Uplium, in Wiltun, in Samar, in Natfertune, and in Stacheſtun; likewiſe in Lindiſy, in Emmyngdeham, in Sumerledeby, in Stantune, in Caprimonte, in Ludeford, in Elchintune, in Caletorp, in Covenham, and in Antneby; and half the fiſhery in Ergum. Alſo I grant and confirm to the aforeſaid church, the land at York which Emma de Port, the mother of Alan de Percy my father, gave to the ſaid church, and the two carucates of land, with their appurtenances, in Newtun, which Walter de Percy my brother gave to the ſaid church; alſo I grant and confirm to the ſaid church theſe two oxgangs of land, with their appurtenances, in Uplium, which were the gift of Robert de Argentum; and likewiſe the foreſts, the paſtures, the waters, the ponds, and all the groves pertaining to the aforeſaid church of Whitby. Now all theſe things I, and my father, and my grandfather, and my anceſtors, have given; and I, by this my preſent charter, grant and confirm them to God, and St. Hilda of Whitby, and to the Monks performing divine ſervice there, for a perpetual alms, ſo free, entire, and clear from every exaction and ſecular ſervice, that I reſerve nothing at all for myſelf but the defence of the Abbey: And I, and my heirs, will in all things defend and acquit the Abbey of Whitby, and all my before-mentioned alms, from all horſe and foreign ſervice, and from every ſecular exaction *(ab omni equitatu et forenſi ſervitio et conſuetudine ſeculari)*. Witneſſes, Gilebert, the ſon of Fulco the cup-bearer; Ernald, Prieſt of * Tendſcre; Robert, ſon of Pichott de Percy; Daniel; Dewine, ſon of Ralph of Irtun; William of Haucheſgard; Ralph, Prieſt of Whitby; Robert the Cook, and Walter, his ſon; Adam, Steward *(præpoſitus)* of Whitby; Richard, ſon of Blacher, and Ranfrid his ſon, and many others."

By this charter of William de Percy it appears, that Robert of Argentum gave two oxgangs of land to the Monaſtery of Whitby, though his charter for that donation is not now to be found among our records. This Argentum was a village or hamlet not far from Lofthouſe and Uplium, which ſeems long ſince to have gone to ruin. The reaſon why the chief heir of the Percy family confirmed that land was, Richard de Percy of Dunſley's marrying into the Argentum family, by which he came to the poſſeſſion of a very conſiderable eſtate in the neighbourhood of Uplium, of which theſe two oxgangs were a part; and in caſe of the demiſe of the ſaid Richard without iſſue, William de Percy would, as heir at law, have become entitled to that eſtate.

As for the church of † Semar, beſides the aforegoing, we have alſo a particular charter for the ſame from William de Percy, as follows:

KNOW

* This is moſt probably Stainſecre.

† Semar is ſo named from two words almoſt ſimilar in their ſignification, viz. Sea, and Mer, or Mar, an old Saxon word derived from the French Mer, or the Latin Mare, on account of the much ſtanding water, or great lakes, that are near the town of Semar, ſome of which are almoſt contiguous to the ſea.

"KNOW all ſons of holy mother Church, preſent or to come, that I William de Percy, for the ſalvation of my own ſoul, and the ſoul of my father, and theſe of my anceſtors, have given, and by this my preſent charter confirm, to God, and St. Peter and St. Hylda of Wyteby, and to the Monks ſerving God there till the end of time, for a free and perpetual alms, the church of Samar, with all its appurtenances, ſaving only the tenure of Richard my chaplain, as long as he lives, and continues in a ſecular habit. Witneſſes to this my donation are, Hellard, a Canon of Beverlac; Ralph, Chaplain of Wyteby; John de Silli, Vicar of St. Peter's at York; Henry de Percy, my brother; and many others." 12

With regard to the two carucates of land at Newton, we have the following particular charter for the ſame from Walter de Percy, who in the memorial is called Walter de Percy de Rugemund.

"WALTER de Percy, to all his homagers, French and Engliſh, and alſo to all ſons of holy mother Church, preſent or to come, greeting. Know ye, that I have granted and given, and by this my charter confirmed, to Herviſe the ſon of Beſing, and his heirs, as a freehold and inheritance, thoſe two carucates of land which my mother gave me in Neuton out of her dower, *(de matrimonio ſuo)* to hold the ſame of me, free, quiet, and clear, from every cuſtom or ſervice, excepting only lawful danegild to the King. Now the aforeſaid Herviſe, that for himſelf and his heirs he may purchaſe this eſtate free in all other things, agrees that he, and his heirs after him, will give me annually for theſe two carucates of land, and their appurtenances, twenty ſix ſhillings and eight pence; to which I give my conſent, and accept of this their homage; yet in ſuch manner, that when I die, the aforeſaid Herviſe, and his heirs, ſhall hold of the church of St. Hylda at Wyteby theſe two carucates of land, with their appurtenances, (which for the redemption of my ſoul, with the grant and confirmation of William de Percy my brother, I have given to the ſaid church, for a pure and perpetual alms) under theſe ſame ſame rights and privileges with which they now hold them of me, on paying nothing more for the ſame to that church than the yearly revenue of twenty ſix ſhillings and eight pence, half thereof every Whitſuntide, and the other half every Martinmas. Now the church of St. Hylda at Wyteby may give the ſervice of Herviſe and his heirs to none, but retain the ſame in its own hand. And I, Walter de Percy, and my heirs, will warrant all the aforeſaid land, with all its appurtenances, to the aforeſaid Herviſe ſon of Beſing, and his heirs, againſt all men. Witneſſes, Robert, Dean of St. Peter's at York; Gerold, a Canon; Serlo, a Canon; Thomas, ſon of Paul, a Canon; and others." 54

The confirmation of theſe two carucates of land in Newton to the Monaſtery of Whitby, by William de Percy, is as follows:

55 "WILLIAM de Percy, to all his Homagers, French and Engliſh, greeting. Know ye, and all ſons of holy Church, preſent or to come, that I have given and granted to the church of St. Peter and St. Hylda at Wyteby, and to the Monks ſerving God there, for my own ſalvation, and that of my anceſtors, and for the ſoul of Walter my brother, for a free and perpetual alms, two carucates of land in Neuton, free, quit, and clear from every ſervice and cuſtom, which my aforeſaid brother Walter gave to the aforeſaid church; and I as Patron, and each of us, viz. I and my brother Walter, by this preſent charter confirm the ſaid donation. Witneſſes, Oſbert, the Archdeacon; Arnald, Prieſt of * Tatec, and Nichol his ſon; Arnald; and many others."

Richard de Percy of Dunſley departed this life about the year 1130, and was buried in Whitby Abbey. He ſeems not to have been a favourite of the Monks; for in one place of our records *(fol.* 129*)* they ſay, "He neither ever gave or confirmed any thing to Whitby-Abbey:" But in this their memory muſt have failed them, for the memorial expreſsly ſays, "He gave them two tenth parts of the corn in his manor of Stacheſtun." We alſo learn from our records, that William de Percy the Abbot, and Convent of Whitby, by the gift of William de Percy and Alan his ſon, poſſeſſed four carucates of land in Dunſley, which, ſoon after the year 1100, they diſpoſed of to Richard de Percy, on his agreeing to pay them a yearly quit rent of 1 l. 6 s. 8 d. and to make up as much of the Horngarth as belonged to that quantity of land; and this was the greateſt part of his inheritance before his marriage with Alice of Argentum: But by that marriage he gained ſuch an addition of wealth, that his ſon William was almoſt upon a level with the elder branch of the Percy family. This William is every where in our records called William, ſon of Richard de Percy of Dunſley, to diſtinguiſh him from his couſin William, the ſon of Alan de Percy. He ſeems to have been of a pious diſpoſition, and to have been more in love with the Monks than his father; for no ſooner was
129 he well ſettled in his father's eſtate, than he applied himſelf to the "founding a religious houſe, or nunnery, in honour of the bleſſed Virgin Mary, at a place then called Grendall, but afterwards Handall; as appears by his charter, dated anno 1133. And the ſaid William de Percy gave the Nuns whom he eſtabliſhed there, two tofts in Dunſley fields, not far from the ſea; the one being William the ſon of Ermoth's, and the other Aldewine's: Alſo in Staxton fields, viz. in Depedale, he gave them ten acres of land out of his lordſhip: Likewiſe in Grenedall fields, and in Dunſley fields, paſturage for 200 ſheep. Now all theſe donations he gave them for a perpetual alms."

In this year, 1133, we have alſo the following memoir, giving an account of a diſpute between the Monks of Whitby and the Canons of Giſeburn.

"BE

* This is the ſame place and clergyman that occur in page 88; but both are here differently ſpelled. I ſtill ſuppoſe the place may be Stainſecre; but I may be miſtaken in reading the original, for as there never was either church or chapel there, I am not without my doubts. This charter ſeems to be granted about the year 1146, or perhaps later.

"BE it known, that the Monks of Whitby Abbey having uſed to receive 68
all the tithes, and all the pariſh dues, (except for burials) for twelve carucates of land, in right of the church of Middleſburg, which was then a chapel; and the Canons of the church of Giſeburn, on account of their church of Steintun, not only receiving for the burials of the dead belonging to theſe twelve carucates of land, but alſo claiming (as of right appertaining to their ſaid church of Steintun) all the tithes, and all the pariſh dues, for the ſaid twelve carucates of land: And the aforeſaid Canons having often urged this their claim againſt the Monks of Wyteby; the whole diſpute about this claim was at length thus ended in the preſence of Robert de Brus, (of whoſe bounty the Canons held the church of Steintun, and the Monks of Wyteby, the chapel of Middleſburg); and in the preſence of Meſſ. William the Prior, and Nicholas the Abbot, with the common conſent and agreement of all the parties, viz. the Canons of Giſeburn ſhall henceforward have perpetual poſſeſſion, on account of their church of Steintun, of all the tithes, pariſh dues, and burials belonging to ſix of the aforeſaid twelve carucates of land, without any exception; and in like manner, the aforeſaid Monks of Wyteby, on account of their chapel of Mildeburg, ſhall henceforward have perpetual poſſeſſion of all the tithes, pariſh dues, and burials belonging to the other ſix carucates, without any exception whatſoever. And the aforeſaid Monks ſhall, for the future, enjoy their ſaid chapel of Mildeburg, as a mother church, without any claim from Steintun. Now leſt any contention ſhould hereafter ariſe between the aforeſaid Canons and Monks, after making this agreement about the ſaid pariſhes; be it known, that to the aforeſaid Monks particularly are allotted, thoſe four carucates that are the freehold of John Ingelram in Aruſam; that carucate in Levingtorp, which is the freehold of Malet, the homager of Roger de Molbrey; and that carucate which is their own property in Mildeburg: Alſo to the Canons are particularly allotted, thoſe three carucates in Aclum which are the freehold of Alfred, the homager of Robert de Brus; that carucate in Aclum, which is the freehold of Robert Eſturmith; that carucate, which is the freehold of Malet, and for which he is the homager of Robert de Brus; and that carucate, which is their own property, in Aruſam. Alſo it is hereby to be underſtood, that the aforeſaid Monks have quit-claimed and given up to the ſaid Canons whatever they might claim in any of their pariſhes as the gift of Hugh, Earl of Cheſter. This concluſion and agreement between the aforeſaid Canons and Monks was allowed of, and confirmed on the one part, by the chapter of the Canons of Giſeburn and the chapter of the Monks of Wyteby, and on the other part by Robert de Brus. Witneſſes, Hugh, the Archdeacon; William, Herglanfront; Adam de Brus, and Robert his brother; Ernald de Percy, and his two ſons; and others."

In the year 1134, King Henry I. was pleaſed to grant another royal charter to the Monaſtery of Whitby, as follows:

67 "HENRY, King of England, to his Archbiſhops, Biſhops, Earls, Barons, Juſtices, Sheriffs, Rulers, and Servants, greeting. Know ye, that I have granted and confirmed to God, and the church of St. Peter and St. Hilda at Wyteby, and to the Monks performing divine ſervice there, all the lands, churches, tithes, and poſſeſſions, which King William my father, and King William my brother, gave, and by their charters confirmed, to the ſaid church, for a perpetual alms. Moreover I grant and confirm to the ſaid church, and to the Monks of that place, the ſea-port, together with the wreck, or ſea-weed, and all other things pertaining to the ſea-port of Wyteby. And I will and command, that the aforeſaid Monks may poſſeſs and enjoy all the ſaid donations, and all other their poſſeſſions, well and peaceably, freely and quietly, with all the liberties and immunities which the church of St. John at Beverlay and the church of St. Wilfrid at Ripun have or enjoy. Witneſſes, Turſtan, the Archbiſhop; Adelwalt, Biſhop of Carliol; Earl R. and others."

As nothing new is granted to the Monks of Whitby by this charter, except the wreck, or ſea-weed, it cannot be deemed foreign to our purpoſe to conſider for what uſe it was intended. And in the firſt place, ſea-weed is known to be a moſt excellent manure for barren land; but here there was none to interrupt their poſſeſſion, and therefore on that account they had no occaſion for a royal charter. In the next place, ſea-weed, when burnt into an Alkali, or Kelp, as it is generally called, is known to be uſeful for making allum, ſoap, and glaſs. As for the firſt of theſe articles, no ſuch thing was then known in England; nor does it ſeem probable that ſoap was either made or uſed at that time in any part of our iſland: It remains, therefore, to be concluded, that this wreck, when burnt into kelp, muſt have been intended for the making of glaſs. That invention was firſt known in England in the days of Lady Hilda; for Bede tells us, "that Benedict, Abbot of Weremouth, then firſt brought over from France artificers ſkilled in the making of glaſs, which till then had been unknown in Britain, wherewith he glazed the windows of that Church and Monaſtery, and thereby taught the Engliſh the art of glaſs-making, which has proved ſo uſeful in making lamps for churches, and other veſſels for diverſe uſes." The invention was, however, but little uſed in Britain till after the conqueſt; nor does it ſeem probable that any glaſs-work was ever carried on at Whitby: Yet kelp might be conveyed from the haven there, either by land or water, to York, Newcaſtle, or ſome other place, where conveniences were erected for manufacturing that uſeful commodity.

57 In the year 1135, "William Foſſard granted to God, and to St. Peter and the Monks of Wyteby, one carucate of land in Roucſby, (given before that by his father to the ſaid church for a perpetual alms) for his own ſoul, and the ſoul of his wife, and for the ſouls of his father and mother, free and clear in all things: Alſo he granted one other carucate of land to that fraternity and the church aforeſaid, which was part of his freehold in Buterwic, and which Gosfrid, the ſon of Durand, held of him, free alſo and clear in all things,

things, according as Durand, the father of the ſaid Gosfrid, gave it, *(ſee page 79)* who was a Monk in the before-mentioned church. Witneſſes to this donation were, Jordan, a Prieſt; Hugh, a Clergyman; Wimund's Butler; Roger Hay; William de Monte; and others."

Alſo, nearly about the ſame time, this ſame "William Foſſar confirmed 19
the church of Huntentun, which his father had given to the church of St. Ehigewinde at Eveſham, for a perpetual alms, proclaiming it free and clear; and giving the bleſſing of God and the prayers of all his anceſtors to ſuch as preſerved it thereto in peace, but their curſe to all thoſe who diſturbed that poſſeſſion. Witneſſes to this donation were, Reginald, a Prieſt; Gald'; Henry, a Monk; Hugh, a Clergyman; and others."

In the year 1136, "Alan, ſon of Ralph of Ferlingtun, reſtored the tithes 58
of Wiltun to the church of St. Peter at Wyteby, and to the fraternity there, which his father had for ſome time unjuſtly detained from the ſaid church; ſo that they ſhould now enjoy the ſame in the manner they were given to that church by William de Percy and Alan his ſon. Theſe tithes he offered up on the altar of St. Peter at Wyteby, in the preſence of many witneſſes; among whom were, Edmund, a Prieſt; Walter de Percy; Robert, ſon of Thurſton; Ralph of Everlay; Roger of Killum; and others."

It appears, by the memorial, that Emme de Port, when widow of the firſt William de Percy, gave to the Monaſtery of Whitby two carucates of land, the one in Yſleham, and the other in Sneileſwelle. Now theſe two carucates of land were after her death claimed again, and repoſſeſſed by the Percy family, as if ſhe had not had a proper power and authority to alienate them, and give them away. However, in the year 1136, her grandſon "Alan de 15
Percy, was induced to reſtore theſe two carucates of land in Hiſlaham to the church of St. Peter and St. Hilda at Wyteby, and granted them to the ſame as free and clear as any of his predeceſſors had by their charter given and confirmed them to the ſaid church. Alſo it is to be underſtood, that to the utmoſt of his power he warranted the aforeſaid alms againſt all men, and proclaimed it free from every exaction. Witneſſes, Robert, Dean of the chapter of St. Peter's at York; Robert de Percy; Henry de Percy; Herviſe, brother of Aldred; and others."

In the year 1137, the chapel of Hugelbardeby was built by Nicholas the Abbot; in which undertaking he ſeems to have been aſſiſted by a freeholder called Ralph of Hugelbardeby, then living at that place. When finiſhed, a clergyman called Vivien was appointed the firſt parſon, who officiated there a conſiderable number of years; and, for his ſupport, the ſaid "Ralph gave 22
two oxgangs of land in Hugelbardeby, free and clear from all ſervice, to the church of St. Peter at Wyteby, and to the fraternity ſerving God there, for their chapel in Hugelbardeby. He offered them up on the altar of St. Peter's at Wyteby; and moreover gave his curſe to all thoſe who ſhould attempt to take them away from the ſaid church. Witneſſes, Aſtill of Haukeſgard; Richard of Neuham; Hugh; and others."

That ſame year, "William of Ochetun, *(Egton)* for the ſouls of his father 59
and mother, and for himſelf and his heirs, gave, and by his charter confirmed,

ed, to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Monks performing divine ſervice there, for a lamp or light before their high altar, one toft, with its appurtenances, in Hilderwelle, which he offered up on the altar of St. Peter and St. Hylda at Wyteby, for a free, quiet, pure, and perpetual alms, before theſe witneſſes, viz. John Arundel; Stephen, the nephew of Martin; Roger of Houkeſgard, and Reginald his ſon; and others."

22 That ſame year, "Auden, and his wife Romilda, and their heir Hugh, for the ſalvation of their own ſouls, and that of all their anceſtors, gave to the church of St. Peter at Wyteby, one dwelling-houſe *(unam manſuram terræ)* in Walbagate at York, free and clear from every ſervice for ever, except four pence paid annually to the King: And this they offered up by a ſtaff on the altar of St. Peter's, many looking on, of whom theſe were witneſſes, Aſchetil of Oſgarth; Reginald of York; Oſbern; Goldel; and others."

20 In the year 1138, "Pagan, the ſon of Oſbern, *(probably Oſbern de Archis)* for the ſalvation of his own ſoul, and for his Lord Robert de Brus, his wife Agneis, and their children, and for the ſoul of his father Oſbern, his own ſon Thomas, and all his anceſtors, whether living or dead, gave to God, and the fraternity at Wyteby, (by offering up his ſtaff on the high altar there, on the feaſt-day of St. Hylda, before a number of ſpectators) one half carucate of land in Wicham, and one toft, both of them the freehold of Robert de Brus, free and clear in all things, except the King's danegeld *(or land-tax.)* To which donation theſe were preſent as witneſſes, viz. Hugh, Prieſt of Hunerham; Archil, Prieſt of Lithum *(Lyth)*, and Alexander his ſon; Odo, Prieſt of Brumtun; and others."

65 That ſame year, a Lady called "Pagan, with the conſent of her ſon William, who was a Canon, gave to the church of St. Peter and St. Hylda at Wyteby, a piece of land, or a dwelling-houſe *(unam terram)* in Blaicaſtret, near the Monaſtery of St. Wilfrid at York, for ever; on ſuch conditions, that ſhe ſhould be a partaker of all the benefits of the ſaid church, and have the management, ordering, or appointing of one Monk, and one ſervant, all the days of her life; *(ut eſſem particeps omnium beneficiorum ejuſdem eccleſiæ, et ut haberem procurationem unius monachi et unius famuli cunctis diebus vitæ meæ)*; and that the Abbey at that place ſhould find her neceſſary cloaths for the firſt two years, her ſon William for the two following years; and ſo on alternately two years each all the days of her life. But ſhould her ſon William die before her, or change his way of life, then ſhe was wholly to be cloathed by the aforeſaid church. The witneſſes to this agreement were, William the Dean, and Chapter of St. Peter's: Alſo to the donation, and ſeizin being given thereof, were Thomas Sottaygina; Outhen; Vocabrus; Ramchil; Roger, a Clergyman; and others."

We have before informed the reader, that when the old Hermit Robert de Alneto died at Hot, the Monks of Whitby put in a claim to his hermitage or cell, with its appurtenances, which had been given him by his niece Gundrey. That lady, being unwilling to quit poſſeſſion, made ſeveral conceſſions to the ſaid Monks, before the premiſes were ceded to her; and among other donations made them in the year 1139, on that account, we find the following:

"ROGER

"ROGER de Molbrey, and Gundrey his mother, to all faithful ſons of holy Church, greeting. Know ye, that we have given and granted to the Monaſtery of St. Peter and St. Hilda at Wyteby, one dwelling-houſe *(unam manſuram terræ)* in York, viz. that in which William Plantepholia lives, for which he is to pay an yearly revenue or rent of three ſhillings for ever, for the ſalvation of our ſouls, and theſe of our friends, and for a claim which the ſaid Monaſtery had on the church of St. William at Hot. This revenue they are to enjoy freely, quietly, and honourably; as witneſs, Turſtine, the Archbiſhop; Ralph, a Biſhop; William, a Dean; Geoffrey Turcopula; Bertram Agat; Roger, a Deacon; and others." 65

This houſe at York the Monks of Whitby by no means judged equal in value to the poſſeſſions of Robert de Alneto; for, without aſking their leave, Roger de Mowbray had converted that Hermit's hut into a fine Abbey-church, where a number of Monks were maintained by his munificence. Now it was that church which the Monks of Whitby claimed; and, to ſilence their clamour, Roger de Mowbray found it neceſſary to grant them another charter, as follows:

"ROGER de Mulbray, to all ſons of holy Mother, preſent and to come, who ſhall ſee or hear theſe letters, greeting. Know ye, that I have granted *(indulciſſe)* and quit-claimed to the church of St. Peter and St. Hylda at Wyteby, as an alms, for the ſouls of my father and mother, and for my own ſalvation, and that of my ſons, all the ſervice pertaining to me for thoſe two carucates of land in Tolleſtun, which Fulcho the cup-bearer gave to the ſaid church of Wyteby. Wherefore I order and command all my homagers, French and Engliſh, that as they love me, they would refrain from this my alms, which I would have to be as free and clear as any alms can be. Moreover I forbid and diſcharge all my homagers from exacting or receiving any ſervice, or any tax for foreign ſervice, for theſe two carucates of land. Witneſſes, Gundrey, my mother; Nigell, my ſon; Atheliza, my wife; Robert de Dd'villa *(David's town)*; Roger de Flammavilla *(Flamborough)*; Walter de Riparia; Herbert of Queingburt *(Queenborough)*; and others." 19

But neither was this ſufficient to content the Monks of Whitby; they had a truſty friend in Archbiſhop Thurſtan, and it was partly owing to his intereſt that they obtained ſtill more advantageous terms from Roger de Mowbray, and the Abbey he had newly erected, as will appear from the following charter:

"GERALD, by the grace of God, Abbot, and the whole Convent of the church of St. Mary and St. William at Hod, to all ſons of holy Church, greeting. Know ye, that we have demiſed and quitted whatever claim we had on a carucate of land in Buterwic to the church of St. Peter at Wyteby, and to the whole fraternity ſerving God there, for ever, on account of the claim which they had on our poſſeſſions at Hod. Witneſſes, Turſtine, the 61

the Archbiſhop; Ralph, a Biſhop; William, a Dean; Geoffrey Decupla; and others."

In the year 1139, died Nicholas, Abbot of Whitby, after a reign of twelve years. He was ſucceeded by a foreign eccleſiaſtic called Benedict, moſt probably elected at the requeſt of the Percy family, with whom he ſeems to have been much connected in the former part of his reign. But, whatever might be his character when firſt appointed to be Abbot, he proved afterwards but little agreeable to the Monks of Whitby, as will appear in the courſe of our hiſtory. Soon after his election he granted the following charter to William ſon of Richard de Percy of Dunſley:

66 "KNOW all men, who ſee or hear theſe letters, that I Benedict, Abbot of the Monaſtery of Wyteby, with the common conſent of our Chapter, have granted and given to William de Percy, and his heirs, Duneſley, whether in woods or plains, in lands or waters, according to theſe bounders by which his father freely poſſeſſed it as a freehold and inheritance, on paying two marks for the ſame annually, the one at Whitſuntide, and the other at Martinmas, as the redemption of all ſervice belonging thereto, except making up as much of the Hornegarth as pertains to this land. Alſo there is to be a common right of paſturage between Duneſley and the other towns around it; and our foreſt or wood is to be open to him for all neceſſary uſes, but not to waſte. Witneſſes to this donation are, Edmund, a Prieſt; and others."

It is evident from this charter, that Richard de Percy had poſſeſſed Dunſley on the ſame terms, and with the ſame bounders, by which it was now granted to his ſon William; ſo that the aforegoing is only a renewal of the old charter which Richard de Percy had obtained almoſt forty years before this; and accordingly we find it in the Abbot's book actually entitled "the charter of Richard de Percy of Duneſley." The Hornegarth here mentioned, and which occurs ſo often in our records, ſeems to me to have been a certain ſtake and yether hedge, made up in the beginning of ſummer by all thoſe in Whitby-Strand who held land of the Abbot, or at leaſt by all ſuch of them as lived in the neighbourhood of Whitby. It ſeems to have been intended for a landing-place in that port, and was every year made at the ſounding an horn, which was to give notice to all ſuch as were liable to that ſervice to attend, from whence it had the name of Hornegarth. And though we now have piers, and there are ſeveral places for landing in ſafety, and alſo for bringing fiſh and other commodities on ſhore, yet the ceremony of making up the penny-hedge, (as it is vulgarly called) in theſe our days, is moſt aſſuredly derived from hence, and not from a Hermit's being ſlain in Eſkedale chapel, anno 1159; for the whole of that ſtory appears to be a fable, and this we ſhall endeavour to prove afterwards.

As we are now treating about William de Percy of Dunſley, we ſhall next preſent the reader with the ſeveral charters granted by him to the Monaſtery of Whitby,

Whitby, which, though a few years later in the order of time, yet ſeem moſt properly to demand a place here.

"KNOW all men, preſent or to come, that I William, the ſon of Richard de Percy, have given, as a free alms, to the church of Wyteby, five tofts in Duneſley, viz. one which Ailric poſſeſſed, near the houſe of Robert de Conville, and another which Gurdelof poſſeſſed, and another which Criſpian held, and half a toft between Roger the Swineherd and Robert, which Gurdelof alſo poſſeſſed, and in Carle-Groft, * an acre and a half; and a piece of meadow ground in Lindale, containing half an acre. Witneſſes, Ralph, a Prieſt; Richard of Duneſley; Geoffrey of Snetun; Reginald of Snetun; and others." 16

"KNOW all men, preſent or to come, that I William, the ſon of Richard de Percy, by the purchaſe and ſervice of Mr. Martin the Cellariſt, have given and granted to Almary of Wyteby, for ever, to hold of me and my heirs, in Duneſley, one oxgang of land, viz. that which Mr. Robert held of me by way of inheritance; on paying annually for quit rent twelve pence, viz. ſix pence every Whitſuntide, and ſix pence every Martinmas; and for this conſideration he is to hold that oxgang of land of me and my heirs as freely and quietly as I hold the other oxgangs of the church of Wyteby, only performing ſuch foreign ſervice for the ſame as belongs to that oxgang of land. And with the aforeſaid oxgang of land I have given and granted to the ſaid Almary for ever a toft and a croft, which lie between the toft of Ailric and the toft of Suartcole. Witneſſes, Ralph, a Prieſt; Richard, a Prieſt; Robert, ſon of Reiner; and others." 16

The foreign ſervice here required is the ſame with that to which William de Percy himſelf was bound, viz. anſwering at the Abbot's court, and making up a ſhare of the Horngarth. It does not well appear who or what this Almary was; our records mention him as a perſon who lived at Whitby, and reſided in the Monaſtery, but in what character we cannot poſitively ſay; ſometimes I have thought that Almario might be a contraction for Almonario, and concluded him to be the Almoner; but this opinion is not properly ſupported by the original; it is more probable he was the chantor, or perſon who provided the Monks with ſuch books as were neceſſary for the celebration of divine ſervice, and perhaps for their library alſo: However that be, we find him mentioned about thirty years after this, in the following charter:

"KNOW all men, preſent or to come, that I, Richard de Cardoile, have given and granted, and by this my preſent charter confirmed, to God, and Almary in the church of St. Peter and St. Hylda at Whiteby, for the ſalvation of my own ſoul, and the ſalvation of my wife, and that of all my friends and anceſtors, a revenue of ſix pence, to be received annually on the day of 3

* I am of opinion that for an acre and a half we ought to read a toft and a half.

our Lord's nativity from me and my heirs, for ever, out of that toft in the town of Whitby which I hold as a freehold farm of Nicholas Buſſel and his heirs, being that which lies next the houſe that was Richard Brand's. Now I, and my heirs, will warrant this donation to God, and Almary, and the aforeſaid church of St. Peter and St. Hylda at Whiteby, againſt all men and women: And, that this my donation may be ſtable and firm, I have ratified this preſent record with the impreſſion of my ſeal. Witneſſes, William Lambe; Roger of Lincoln, and Robert his brother; William, ſon of Freyeſent, and Adam his brother; Robert the Chaplain; Roger Prudum; and others."

The next charter of William de Percy ſeems to include in it both his aforegoing ones, and alſo ſome further donations made by him to the Monaſtery of Whitby, being as follows:

55 "TO all ſons of holy mother Church, preſent or to come, William de Percy, ſon of Richard de Percy of Duneſley, greeting. Know all of you, that I have granted, and by this my charter confirmed, to God, and the church of St. Peter and St. Hilda at Wyteby, and to the Monks performing divine ſervice there, and to the Chantor of that church, for a free and perpetual alms, for making and writing books for the ſaid church, three oxgangs of land in Deuneſley, with their appurtenances, and with the common eaſement of the ſaid town, viz. that oxgang of land which Mr. Robert held of me, and thoſe which Richard the Londoner ſome time ſince had in mortgage; and alſo five tofts in the before-named town, with a meadow. Now all theſe, being in my free and full power, I have offered up to God and the church of Wyteby, on the high altar, by Mr. Martin the Cellariſt, for my own ſoul, and the ſouls of William de Percy my grandfather, founder of the Abbey, and Richard de Percy his ſon my father, and theſe of my heirs, and all my anceſtors, for a perpetual alms, clear from every ſecular ſervice, cuſtom, or exaction, except only three ſhillings, which the aforeſaid Chantor ſhall pay me and my heirs yearly to make up my quit rent to the ſaid church, viz. eighteen pence every Whitſuntide, and eighteen pence more every Martinmas. Witneſſes, Ralph, a Prieſt; Richard, a Prieſt; Geoffrey, a Prieſt; Reginald of Sneton; Ivo of Ugelbarby; and others."

The next charter to be found in our records from this William de Percy contains the donation, or rather confirmation, of ſome land at Lofthouſe to the Monaſtery of Whitby, as follows:

18 "KNOW all men who ſee or hear theſe letters, that I, William de Percy, before my death, have granted and given to God, and St. Peter and St. Hylda at Wyteby, and to the Monks performing divine ſervice there, for my own ſoul, and for the ſoul of my father Richard de Percy, and for the ſoul of my mother, and theſe of all my anceſtors, for a perpetual, free, and quiet alms, thoſe two oxgangs of land in Lofthuſe, which my mother Athaliza formerly gave to the aforeſaid church, for the ſoul of Walter de Argentum,

gentum, who was her lawful huſband. One thing I beg of my heir, that, as he is my ſon, and would have my bleſſing, he will allow of this my alms to the aforeſaid church; and if he attempt to take it away, may he have my curſe. Witneſſes, Richard, Chaplain of Lofthuſe; Bartholomew and Hugh, my heirs; my mother Atheliza; Celeſtri and Criſtina my ſiſters."

The laſt charter to be met with in our records from this William de Percy of Dunſley, is for the hermitage of Mulgrave. It ſeems to have been granted about the year 1150, and is as follows:

"TO all ſons of holy mother church, preſent or to come, who ſhall ſee or hear theſe letters; as alſo to his lords and heirs, William de Percy, the ſon of Richard de Percy of Duneſle, greeting in the Lord. Know all of you, that I (having free power) have made a certain hermitage in my foreſt of Duneſle, at Mulgrif, in honour of St. James the apoſtle, for the fulfilling my vow, and for the remiſſion of all my ſins, and theſe of all my anceſtors, viz. my father and mother, my brothers and ſiſters, and all my relations; and for the ſoul of my wife and my heirs, and all thoſe who either have given or ſhall give any land or other benefit to that place: To be free and clear from me and my heirs, for ever, from all ſecular ſervices, earthly exactions, and foreign demands, within the following bounders, viz. all my land of *Midthet*, from the balk that is between the vandales *(vandelas)* of my demeſne, and the vandales of my homagers, and the brow of Mulgrif-hill, as far as the fountain *(or ſpring)* where * *Thuf* lies; and ſo deſcending by an earth-dyke to the water *(or brook)* which runs in that valley; and thence to the rivulet of *Brocchel-Hole-Dale*; and ſo aſcending upwards to the aforeſaid balk. I have alſo given to that place, for ever, a right in the common paſture of Duneſle, whether in woods or plains, or in whatever place ſituate; as likewiſe in the common foreſt and common moor; and a paſſage to and from the ſea, for performing any buſineſs relating to the aforeſaid place. Now this Hermitage, with all its bounders, eaſements, and appurtenances, I have given and granted for ever, to be obedient and ſubject to the church of St. Peter and St. Hylda at Witeby, ſo that divine ſervice be daily celebrated there by ſome prieſt belonging to that place; ſaving neverthelefs the rights of Duneſley-chapel. And to all theſe that ſhall increaſe, or be aſſiſting to the ſaid place, I give my bleſſing; but my curſe to all ſuch as ſhall diminiſh the ſame. Witneſſes, Ralph, Prieſt of Witeby; Randulph, Prieſt of Fithely; Geoffrey, Prieſt of Snetun; Vivian, *(Prieſt)* of Ugalberby; Richard of Duneſle; Mr. Reiner; Igler the Dean; Walter of Ruddeby; Ivo of Ugelberby; Ranald of Snetun; William of Haucaſgarth, and Roger his brother; Richard of Neuham; Humfrey;

 Simon;

* It is my opinion this Thuf was either the god Thuth, or ſome other Idol, that ſtood in the heathen temple at Thordiſa; and that the inhabitants of Dunſley, on being converted to chriſtianity, ſtill retained ſo much dread and veneration for it, that they buried it in the neighbourhood, not daring intirely to deſtroy the ſame, after the example that had been ſet them by Coifi at Goodmanham.

Simon; Peter, the ſon of There; Robert of Canvill; Mr. Rodbert; Richard of St. Germans; Rodbert the Cook; Geoffrey of Boſco."

In the year 1140, we have the following charter from Thorfine de Alverſtain for the church of Croſſeby-Ravenſwarth, in Weſtmoreland.

9 and 96 "KNOW all who ſee or hear theſe letters, that I Thorfine, and my heir, have given the church of Croſſeby-Ravenſwart, with two carucates of land, to the church of St. Peter and St. Hylda at Wyteby, and to the Monks ſerving God there, free and clear from every exaction, for a perpetual alms, for the ſalvation of my Lord William de Romar, and his wife, and their ſons and daughters, and for the ſalvation of our own ſouls, and theſe of our anceſtors. Witneſſes to this donation are, Oſbert the Prior, and the whole convent of brothers in the aforeſaid church; Turſtan, a Prieſt; Richard, Prieſt of Wyteby; William, a Prieſt, the ſon of Edmund, Prieſt of Wyteby; Richard, a Deacon; Hugh, a Clergyman, and Benedict, nephews of the Abbot Benedict; Stephen, a Clergyman; Daniel; Randulf; Richard of Newham; Walter the Steward, *(diſpenſator)*; Robert of St Victor's; Robert the Cook; Hederick of Newham; Simund, a Clergyman; Robert, a Clergyman; Cluiny, the Cook; and William Norrays."

62 In the year 1141, "Alan, ſon of Alan Buſcel, granted, and by his charter confirmed, to the church of St. Peter and St. Hilda at Wyteby, and to the Monks ſerving God there, as a free and perpetual alms, that half carucate in Hotun, which Aze, the ſon of Wimund, held of his father, with common right of paſturage, and with the common eaſements in the wood, on the plain, and upon the moor. Now this aforeſaid half carucate of land, with the church of Hotun and all its appurtenances, and with Veſtcrofth *(Weſtcroft)* and the hermitage adjoining thereto, he gave, and by this his preſent charter confirmed, to the aforeſaid church of Wyteby, for a perpetual alms, ſo freely, quietly, and fully, all manner of ways, as was contained in the charters of his father Alan Buſcel, which the aforeſaid Monks of Wyteby had for the ſame; and this he did for his own ſoul, and the ſouls of his father and mother and wife, and theſe of his heirs and all his anceſtors. Witneſſes, Thomas, a Chaplain; Maurice, a Chaplain; Geoffrey Bardh; John Arundel; Roger of Hugelbardeby; and others."

17 Alſo it was nearly about the ſame time that this ſame "Alan Buſcel and Gervaſe his brother granted, and gave, and offered up to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Monks performing divine ſervice there, all that land near the Derewent called Weſtcroft, with common right of paſturage, for a free and perpetual alms, clear from every exaction and ſecular ſervice, for their own ſouls, and the ſouls of their father and mother, and thoſe of their heirs and all their anceſtors. Witneſſes, Odo, a Prieſt; William, a Prieſt; Richard, a Prieſt; and others."

The

The charter of Alan Buſcel, as contained in the preceding page, for the half carucate of land at Hotun, is ſomewhat varied, or rather more fully expreſſed, in another part of our records, where we have it in the following words:

"KNOW all men who ſee or hear theſe letters, that I, Alan Buſcel, have 18
given and granted to the church of St. Peter and St. Hylda at Wyteby, that half carucate of land in Hoton, which Aſze, the ſon of Wimund, *(of Lochintun)* held of me, free and clear from every ſervice pertaining unto me; (ſo that I and my heirs will acquit it from county, from wapentake, and from hundred ſervice); with common right of paſturage in the wood, on the plain, and upon the moor, through the middle, and over all; only the Danegeld, or King's tax, for that land, ſhall be paid to me. Alſo I grant them wood out of my foreſt, for houſe-building, and all their other neceſſary uſes, without ſelling to others: But I hereby except the inclofure of a certain pond within the precincts of that land, which I retain to myſelf; from the breaking out of which pond, however, if the ſaid land adjoining thereto be any ways damaged, I Alan, and my heirs, will make up that damage to the ſaid church. This land, therefore, bounded as is above deſcribed, free and clear from me and all my heirs, I have given and granted to the church of Wyteby as is aboveſaid, and with the aforeſaid Aſze have offered it upon the high altar of the ſaid church for ever; and if perchance it happen that any one claim the before-mentioned land, ſo that I or my heirs are not able to defend the ſame, we will give as much land to the ſaid church in another place by way of exchange. Witneſſes, Robert, a Prieſt; William, a Prieſt; Alan de Percy; Geoffrey de Capens; Daniel of Hirtun; William of Houkeſgar; and others."

In the year 1142, this ſame "Ace, ſon of Wimund of Lochinton, with 62
the conſent and will of his heirs, gave, and by his charter confirmed, to God, and the church of the bleſſed Peter and St. Hilda at Wyteby, and to the Monks performing divine ſervice there, for a pure, free, and perpetual alms, for his own ſoul, and the ſouls of his father and mother, and theſe of his anceſtors, his wife, and his heirs, half a carucate of land in Thouthorph under Gautris, which Walter the ſon of Robert formerly held of him, and where he had his principal brazier's ſhop in that town, with all its appurtenances, whether in the town, or out of it. And the ſaid Ace, and his heirs, undertook to warrant this ſaid land to the before-mentioned church of Wyteby, and to the Monks ſerving God there, againſt all men, and to defend and acquit the ſame from all ſervices, taxes, and exactions, as their free and pure alms. Witneſſes, Thomas and Maurice, Chaplains of Wyteby; Roger of Houkeſgar; and others."

Soon after this, "Thomas, the heir of Ace of Lokintun, granted, and by 63
his charter confirmed, to God, and the church of St. Peter and St. Hilda at Wyteby, and to the Monks ſerving God there, for his own ſoul, and the ſouls of his father and mother, and thoſe of his anceſtors, the donation of his father Ace of Lokintune, viz. that half carucate of land in Toutorp under Gautris, which Walter the ſon of Robert formerly held of Ace of Lochintun,

tun, but then held of the ſaid Monks of Wyteby. Now Ace, and his heirs, engaged to warrant the ſaid land to the aforeſaid Monks againſt all men, and to defend and acquit the ſame from all ſervices, taxes, and exactions, as their free alms. And that this record might continue to be ſtable and firm, he ſtrengthened the ſame by ſetting thereto his ſeal, in preſence of theſe underwritten witneſſes, viz. Thomas, a Chaplain; Maurice, Chaplain of Whitby; Roger of Houkeſgart; John Arundel; and others."

The charter of Walter the ſon of Robert for this land, mentioned in both the preceding charters, is as follows:

61 "TO all faithful chriſtians to whom theſe letters ſhall come, Walter ſon of Robert, greeting. Know all of you, that Ace of Lochintun, the ſon of Wymund of Lochintun, by his own conſent and voluntary will, hath granted and given, and by his charter confirmed to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Monks performing divine ſervice there, for a free, pure, and perpetual alms, half a carucate of land at Thouthorph under Gautris, out of my tenement which I hold of the aforeſaid Ace, upon which half carucate of land my principal brazier's ſhop is ſituate in that town; for which alſo I Walter the ſon of Robert have performed homage and fealty to the ſaid church and convent of Wyteby, and my heirs ſhall perform the ſame for ever; I and my heirs paying for the ſame annually to the before-mentioned church and Monks of Wyteby ſix ſhillings, half thereof every Whitſuntide, and the other half every Martinmas; which revenue we will pay to the bailiffs of the Abbot of Wyteby in Fiſchergate; and I Walter, and my heirs, will defend and acquit the aforeſaid half carucate of land from every tax and exaction to the often-named church and convent of Wyteby. Witneſſes, Thomas, Chaplain of Wyteby; Henry of Fiſchergate; the aforeſaid Ace of Lochintun, and Thomas his ſon; and others."

This ſame Ace, the ſon of Wimund of Lochintun, gave moreover to the Monaſtery of Whitby a yearly revenue of three ſhillings, out of an oxgang of land he had at Middleton, near Pickering; and though his charter for that donation does not now appear among our records, yet we have a confirmation of this grant from William Foſſard, the capital Lord of the Manor of that place, as follows:

20 "KNOW all men, preſent or to come, who ſhall ſee or hear theſe letters, that I William Foſſard grant, and by this my preſent charter confirm, the donation which Aze, the ſon of Wimund of Lochintun, made to the church of St. Peter and St. Hylda at Wyteby, and to the Monks ſerving God there, viz. three ſhillings to be paid them yearly, for a pure and perpetual alms, out of that oxgang of land which Raghanald held of the ſaid Aze in Midelton. Witneſſes, William, a Chaplain; William de Percy; Hugh, Prieſt of Bautchon; Roger, a Clergyman; and others."

We

We have alſo another confirmation of the aforeſaid revenue of three ſhillings, as follows:

"KNOW all men, preſent or to come, that I Alexander of Midelton, grant, 43
and by the teſtimony of this preſent charter confirm, the donation which Aze the ſon of Wimund gave to St. Peter and St. Hylda of Wyteby, and to the Monks ſerving God there, viz. three ſhillings revenue out of my freehold in Midelton, from that oxgang of land which Raghanald poſſeſſes, for myſelf, and for the ſouls of my father and mother, and for the ſouls of my anceſtors. Witneſſes to this confirmation are Foſſard, at my requeſt; William Aguil'; Warine, ſon of Hugh; William, ſon of Walter; Richard of Eveſham; and others."

In the year 1143, "Everard de Ros gave up and reſtored, and granted, 63
free and clear from him and all his heirs, thoſe two carucates of land which he held in Brumeſton, of God, and the church of Wyteby, to the fraternity ſerving God in that church, to poſſeſs and enjoy the ſame for ever; as alſo one homager called Norman of Brocheſſey, with three oxgangs of land, and the ſame ſervice which he had been accuſtomed to perform to Everard, in as free a manner as Everard had poſſeſſed it; and this land he reſtored to the aforeſaid church, on ſuch conditions and terms that none ſhould dare to take away the ſame from the Lord's table. Moreover he gave his curſe to all thoſe who ſhould offer any injury or violence to that church or fraternity on account of this land, and the Abbot and whole Convent did the ſame. Witneſſes to which thing were, Aſchetill of Houkeſgart; Reginald of Snetun; Robert of Liverton, and Godefrid his brother; and others."

In that ſame year, 1143, the advowſon of Snetun chapel was granted to John Arundel, by the Abbot and Convent of Whitby, on the following terms:

"KNOW all men who ſee or hear theſe letters, that I Benedict, Abbot of 44
Witeby, with the conſent and advice of our Chapter, have given and granted to John Arundel and his heirs, as a freehold and inheritance, the advowſon of the chapel of Sneton; ſo that John and his heirs, when the Parſons of Sneton chapel die, or leave the place, ſhall preſent ſome other proper Parſon to the Archbiſhop. Now the Parſon of Sneton ſhall pay to the church of St. Peter at Witeby ten ſhillings yearly, viz. five ſhillings every Martinmas, and five ſhillings more every Whitſuntide. The bodies of the dead belonging to that chapelry, ſhall be buried in the cimitery of St. Mary's at Witeby, but none of them ſhall be carried into the cimitery of St. Peter's; nor ſhall he bring any thing thither. But the Prieſt or Vicar of the town, without any leave had from the Parſon appointed to the chapel, ſhall be buried in the cimitery of St. Peter's, if it were his choice when alive, or his friends deſire after his death. Yet the Sneton Parſon ſhall not ſay maſs at theſe burials, unleſs the Parſon of Witeby be firſt ordered, and either neglect to come, or cannot attend; for then the Parſon of Sneton ſhall faithfully perform

form the ſervice, for the common advantage of both. On the day of a funeral, whatever ſhall be offered for any deceaſed perſon belonging to the chapelry of Sneton, whether in the chapel of Sneton, or in the church of St. Mary at Witeby, as alſo whatever any one upon their death-bed bequeaths to either, ſhall be divided into two equal ſhares, if that can be done without hurting the land, (when land is given) and half thereof ſhall remain to each. Alſo whatever ſhall be received for prayers, or ſaying of maſſes, ſhall be in like manner divided; and the ſervice *(or money received)* for the dead ſhall alſo be divided between them. Now the preſent Parſon of Sneton, and all his ſucceſſors, ſhall oblige and bind themſelves by oath to uſe no endeavours that the church of Witeby may be any ways prejudiced or detrimented by this written agreement."

In the year 1144, we have the following charter from Robert the ſon of Pichot de Percy for the church of Sutton upon Derwent, near Wheldrake:

12 "TO all ſons of holy Church who ſhall ſee or hear theſe letters, Robert de Percy, greeting in Chriſt. Since what proceeds from a motive of real devotion is finally to be ſhewn by our works, I thought it neceſſary to ſignify to you that I Robert de Percy, in the preſence of my heir, and he alſo freely conſenting thereto, have given and granted, for a perpetual alms, to St. Peter and St. Hylda of Wyteby, and to the fraternity ſerving God there, the church of Quenreſſuttun, with all that adjoins thereto; which gift (leſt it ſhould be violated by the preſumption of any of my ſucceſſors) I confirm by this my preſent charter; farewell. Witneſſes, Haſchaton, Prior of St. Oſwald's, and his Canons; Thomas, Nicholas, and Roger, Clergymen belonging to John Earl of Norhamton; William of Bedaford; Ralph, a Prieſt; Vivien, a Prieſt; Ralph, Prieſt of Lid' *(probably Lyth)*; Geoffrey, Prieſt of Sneton; William, Prieſt of Lid'; Ralph, Prieſt of Dun̄ *(perhaps Duneſley)*; Richard, Prieſt of Hauſgar; William Caper̄, *(the Goatherd)*; Robert de Clara; Malger de Beſingby; Stephen Ram', of Sneton; Ivo of Hugelbardeby; William of Hauſgar; Roger of Normanby; Adam; Richard, ſon of Blacher; Thomas, the Prior's brother; Richard of Lundon; Randulf, ſon of Cole; Thorald; Balwine, ſon of Blacher; and others."

About this ſame time the aforeſaid Robert de Percy granted another charter to the Monaſtery of Whitby, as follows:

16 "TO all faithful ſons of holy mother Church, Robert de Percy ſon of Picott, greeting. Know ye, that I have given and granted to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Monks ſerving God there, for a free and perpetual alms, one houſe of mine, with a toft pertaining thereto, in Fiſkeregate at York, near the church of All Saints, viz. ſixteen pence yearly out of the ſame, ſaving the tenure of Mrs. Gode (who lives in it) and her heirs; yet ſo that ſhe may not give away, ſell, or mortgage the ſaid houſe to any, without leave firſt had from the Lord Abbot of Wyteby and the

the Chapter of that place. Witneſſes to which donation are, Ralph, Prieſt of Wyteby; Roger, a Prieſt; Vivian, Prieſt of Ugalbardeby; Nichol, a Deacon; Walter, a Deacon; and others."

In the year 1145, we have the following charter from Aſchetine of Haukeſgarth:

"KNOW all men who ſee or hear theſe letters, that I, Aſchetine of Houkaſgart, having obtained leave from my Lord Benedict, Abbot of Wyteby, and the Convent there, to build a chapel at Houkeſgar in honour of All Saints, for the ſouls of my father and mother, and for myſelf and my heirs, have given to the ſaid chapel one oxgang of land through the whole town field, and all Hormeſgrif, between the two dhutelet *(outlets)* as far as the bounders of the land of Normanby; alſo ſeven acres of land in Sitdregrif, and the valley of Gripe, and three rods near the bounders of the land of Stainſecrer, and one rod at Staincroſwyis, with common right of paſturage, and the eaſements of the ſaid town, free and clear from every ſecular ſervice or cuſtom. Now the Lord Abbot, and Convent of Wyteby, may do what they will with the ſaid chapel and land, provided divine ſervice be daily celebrated there. Witneſſes, Mr. Oſbert Arundel, *(his father John being probably then dead)*; Reginald of Snetun; Ivo of Ugelbardeby, and Alan and Robert his brothers; William de Percy of Duneſlay; and others." 57

This Aſchetine of Haukeſgarth was much given to acts of piety, and fond of a monaſtic life; on which account, not long after making the aforeſaid donation, he reſigned the remainder of his eſtate and effects to his two ſons, renounced the world, and profeſſed himſelf a Monk in Whitby Abbey, where he lived to a great age; for thirty years after this we find him in the Monaſtery, his name being recorded among thoſe who compoſed the Convent at the deceaſe of the Abbot Richard, anno 1175. Before he built this chapel at Haukeſgarth, the Monks of Whitby had long had an hermitage there, and Aſchetine erected the chapel on that ſame plat of ground where the hermitage had formerly ſtood.

Alſo in this ſame year, 1145, we have the following charter or record:

"KNOW all men who ſee or hear theſe letters, that I, Robert Roe, have given, and by my preſent charter confirmed, to God, and the church of St. Peter and St. Hilda at Wyteby, and to the Monks performing divine ſervice there, three oxgangs of land, with their appurtenances, in Kitun, which I have abjured and quit-claimed, for myſelf and my heirs, to God, and St. Peter and St. Hilda, having offered them up on the high altar of Wyteby for a perpetual alms: Which three oxgangs of land my lord and brother Durand of Kaitun gave me; and he grants and confirms the ſame to the aforeſaid church, only reſerving to himſelf the foreign ſervice, viz. two ſhillings yearly, and the mantal *(mantle)* which the aforeſaid church is to pay 62

him annually. Witneſſes, Durand of Kaitun; William and Robert his ſons; William of Hatun; William of Haukeſgard, and Roger his brother; and others."

We have alſo the charter of Durand his brother for this ſame land, as follows:

62 "TO all who ſee or hear theſe letters, Durand of Chaitun, greeting. Be it known to you, that Robert my brother, with my conſent, hath ſold to the Monks of Wyteby, for ſix marks, thoſe three oxgangs of land in Kaitun which I gave him for his ſervice, and hath given up to them all right that he had in that land for ever; of which donation and ſale I Durand of Kaitun allow, and by this my charter confirm the aforeſaid land to the Monks of Wyteby, to be held of me and my heirs, under theſe conditions, viz. That the Monks ſhall annually pay two ſhillings to me and my heirs for the ſame, and the mantel, for all ſervices. Know ye moreover, that I grant to the aforeſaid Monks two acres in that culture called Sticwalbut, which Robert Palmer of Kelvertby ſold to the ſaid church of Wyteby, and offered up on the high altar of St. Peter at Wyteby; and therewith I grant them alſo a third acre, which I have added to theſe two, in the ſame culture, and which, with theſe two acres, in the preſence of the ſaid Robert my homager, I have offered upon the altar of St. Peter, confirming the ſame by this my charter as a perpetual, quiet, and free alms. Witneſſes, William my ſon; Robert my ſon; Ralph, a Prieſt; Richard, a Prieſt; Geoffrey, a Prieſt; and others."

We have alſo another charter from this ſame Durand, which varies a little from the preceding one in ſome particulars, and is as follows:

61 "KNOW all men who ſee or hear theſe letters, that I, Durand of Clive, have given and granted to the church of Wyteby, four oxgangs of land, lying together in Caitun, viz. thoſe two which my brother Robert poſſeſſed, and other two next to thoſe ſame oxgangs which the ſaid Robert poſſeſſed, to be held freely and quietly of me and my heirs, on paying annually for theſe four oxgangs thirty two pence; and when the Abbot ſhall receive any general aid from his tenants, thoſe four oxgangs ſhall be charged with as much as any other four oxgangs in the ſame freehold pay thereto. Furthermore, I grant and confirm the two oxgangs in Kilverdby, which Robert my father-in-law ſold to the ſaid church, to be held of me and my heirs as quietly and freely as he held them, viz. on performing the foreign ſervice for the ſame. Alſo I grant and confirm three acres of land in Sticwaldbut, one of which is my own proper donation and oblation, and the other two the ſale of the aforeſaid Robert my father-in-law. Now at the making this record was preſent William my ſon, who allowed thereof, and is a faithful witneſs to the ſame; and the other witneſſes are, Ralph, a Prieſt; Richard, a Prieſt; Geoffrey, a Prieſt; and others."

Theſe

Theſe two charters vary conſiderably as to the quantity of land given by Durand and his family; whence this difference ariſes we ſhall leave the reader to determine for himſelf, and only obſerve here, that in the former of them Durand is ſurnamed of Chaitun, and in the latter is ſtiled Durand of Clive, probably from his having an eſtate lying at each of the aforeſaid places. His brother Robert Roe renounces and quits all claim to the land given in the firſt charter; and his ſon William, as a witneſs, accedes to and confirms the donation mentioned in the ſecond charter.

In the year 1146, the Abbot Benedict obtained the following charter, or bull, from Eugenius III. then Pope of Rome:

"BISHOP Eugenius, a ſervant of the ſervants of God, to his beloved ſons Benedict, Abbot of the Monaſtery of St. Peter and St. Hilda at Wyteby, and his brethren, preſent or to come, profeſſing a regular life, for ever. The deſires of a pious diſpoſition ought to be fulfilled in the effects proceeding therefrom, that the ſincerity of devotion may appear with the greater luſtre, and the advantages gained thereby may add ſtrength to ſuch as waver. Wherefore, beloved ſons in the Lord, out of our clemency we have given ear to your juſt requeſts, and taken the ſaid Monaſtery of St. Peter, where you are appointed to perform divine ſervice, under bleſſed Peter's and our protection, eſtabliſhing you with the privilege of this preſent writing, *(or charter)* and decreeing that whatever poſſeſſions and wealth the ſaid Monaſtery doth now juſtly and canonically poſſeſs, or may hereafter obtain, through the Lord's aſſiſtance, by the grant of Popes, the liberality of Kings, the bounty of Princes, the oblation of faithful chriſtians, or any other juſt ways and means, ſhall remain firm and entire to you and your ſucceſſors; among which we have thought fit to expreſs thoſe that follow by their proper names, viz. the town called Wyteby, being the gift of William de Percy and Alan his ſon; Niderby; Overby; Tingwal; Laupel; Hellerdale; Stainſecher; Gnipe, or Haukeſgard; Normanneby; Figeling; and the other Figeling; Berthuait; Bibroc; Snetun; Uggelbardeby; Saureby; Dunſley; Neuham; Stakeſby; Baldeby; Brecta; Flora; Riſewarp; the foreſts belonging to the town of Wyteby; the town of Hakenes; Silfhou; Nordfeld; Sudfeld; Everlay; Brokeſay; the dales belonging to Hakeneſs; the Paſture of Gaytelay, and of Thornelay; two carucates of land in Briniſton; two carucates of land in Caiton; by the gift of Durand, one carucate of land in Butterwyc, and two oxgangs of land in Scameſtun, and one miln, as alſo one carucate of land in Rauceby; by the gift of Robert de Brus, two carucates and two oxgangs of land in Neuham, as alſo the church of St. Hilda at Middleſburg, and one carucate of land there; the church of Hotun in Pikeringlid; two carucates of land in Touleſton; by the gift of Alan de Percy, one carucate of land in Hoton near Rokeſburg, and one in Oxenham; by the gift of Pagan, half a carucate of land in Wicham, and half a carucate of land in Hilderwell; by the gift of William de Percy, half of the fiſhery at Ergum; the church of All Saints in Fiſkergate at York, with its appurtenances; the land in the ſame place that is the gift of Gernegot; by the gift of Outhan *(Auden)*, one dwel- 31

ling-houſe in Walmegate; by the gift of Roger de Mubray, one dwelling-houſe at Foſſe-Bridge; by the gift of Pagan, one dwelling-houſe near the church of St. Wilfrid; two dwelling-houſes in Vaſagate *(Ouſegate)*, and a third the gift of Emma, the mother of Alan; the land of John the Larderer; two tenth parts of Wiltun, of Uplium, of Samar, of Nafferton, and of Staxton; and in Lindeſay, of Emmingham, of Sumerledeby, of Outhen, of Stainton, of Caprimont, of Ludeford, of Elchinton, and of Covenham; the tithes that ye have in Boithorp, in Wicham, and Atun; the port of Wyteby, and whatever right ye have there. Now whilſt you, or any of your ſucceſſors, exerciſe the office of Abbot in the aforeſaid place, let no one be admitted to preferment there through ſurreptitious craft or violence, but only ſuch as ſhall be properly elected by the common conſent of your fraternity, or at leaſt a major part of them, who have the fear of God before their eyes, and carefully obſerve the rule of St. Benedict. Wherefore we decree, that it ſhall or may be lawful for no man raſhly to diſturb your ſaid Monaſtery, or to take away its poſſeſſions, or to keep and diminiſh them when ſo taken away, or otherwiſe to injure your fraternity, but that every thing ſhall be preſerved entire for the ſupport and management of thoſe for whom it is intended, ſo as to be of the moſt uſe and advantage to them, ſaving nevertheleſs the authority of the apoſtolic ſee, and the canonical right of your dioceſan Biſhop. If any one therefore for the future, whether eccleſiaſtic or laic, raſhly attempt to contradict what we here eſtabliſh, let him be admoniſhed a ſecond and a third time, and if after that he refuſe to make proper ſatisfaction, let him be deprived of his power, honour, and dignity; moreover be it known to him, that in the ſight of God he ſtands guilty of perpetual iniquity, ſhall be ſeparated from the moſt holy body and blood of our Lord and Saviour, and after this life be doomed to a ſevere puniſhment. But to all thoſe who preſerve the rights of the ſaid Monaſtery be the peace of our Lord Jeſus Chriſt: May they in this world reap the fruits of their piety, and in the world to come meet with the rewards of eternal peace. Amen and amen."

We have already given an account of all the donations confirmed to the Monaſtery of Whitby by this Bull from Pope Eugenius, except that for the land of Gernagot at York; and this is alſo in our records, but not before the reign of the Abbot Richard, about the year 1150 or 1151. Gernagot, I apprehend, reſided in Whitby Abbey at or before the year 1140, when he firſt made his donation; but having ſome diſputes with the Abbot Benedict, he retired to York, and lived as a Canon there in Fiſkergate cell for ſome years, till Benedict was depoſed; when being again viſited by his old adverſary, who took refuge in that cell, he, to avoid his preſence, ſurrendered himſelf to the Abbot Richard, and again returned to Whitby Abbey; on which it was judged neceſſary to confirm, or rather renew, his former donation, by the following charter:

65 "TO all ſons of holy mother Church, preſent or to come, Gernagot, a Canon of York, greeting. Know ye, that I Gernagot, who have returned

returned myſelf *(meipſum reddidi)* to the Abbot Richard, and the church of St. Peter and St. Hylda at Wyteby, have given to the ſaid church, for the ſalvation of my own ſoul, as an alms which they are freely to poſſeſs by a perpetual right, the half of my land which is near the church of St. Peter at York, viz. that half thereof which is neareſt the ſaid church, and adjoins the dwelling-houſe of my ſon William; which donation of mine this preſent charter teſtifies, whereto theſe are witneſſes, William the ſon of Toſtine; Pauline the Biſhop's ſon; Walter the ſon of Fagamilf; Norman, a Prieſt; Roger and Robert Ruff; and others."

In the year 1147, Roger de Mowbray, being deſirous to redeem that half carucate of land formerly given to the Monaſtery of Whitby by his father Nigell de Albinny, *(ſee page 62)*, agreed to give the Monks of Whitby other land of equal value for the ſame, by way of exchange; the ſettling theſe matters occaſioned the four following charters:

"ROGER de Molbray, to his Conſtables, Cup-bearers, Barons, and all his homagers and friends, French or Engliſh, in Yorkſhire, greeting. Know ye, that I have given and granted to Reginald Pouher, and his heirs, the dwelling-houſe in York which Herbert my Butler poſſeſſed, and alſo half a carucate of land in Thorp, which the ſaid Herbert held as a freehold and inheritance, free, quiet, and clear in all things pertaining to the ſaid land, and liable to no exactions, except the ſervice of a pair of ſcarlet garters, to be paid annually for the ſame. Witneſſes, William de Archis; Herbert of Queingbur; William Millebiſs; and others." 65

"ROGER de Molbray, to all his miniſters and homagers, French or Engliſh, greeting. Be it known to you, that I have given and granted to Rainald Poher two oxgangs of land in Thorp, near York, which Oſbert poſſeſſes, with the homage and ſervice of this Oſbert and his heirs, free, quiet, and clear from every ſervice and exaction, for the ſervice of only one pound of pepper to be paid yearly by him and his heirs. Now I grant this ſaid land, with the homage and ſervice of Oſbert and his heirs, ſo that Oſbert and all his children ſhall be free and clear from me and my heirs, paying their homage and ſervice to Rainald and his heirs; and I will and command, that Rainald and his heirs may poſſeſs this land freely and quietly, as a freehold and inheritance from me and my heirs, whether in woods or plains, or in any thing elſe pertaining thereto. Witneſſes, William de Archis; Ralph de Widvill; Philip Puntel; Helyas de Dol'; Oſbert, ſon of W. ſon of Herviſe; Robert, ſon of Baldwin; Richard, ſon of Widon." 72

"ROGER de Moubray, to all his homagers, French and Engliſh, greeting. Know ye, and all that ſee or hear theſe letters, that I have granted and given to the church of Whiteby, and to the Monks ſerving God there, for a free and perpetual alms, all the tenure which Reginald Poer held of me, and which he gave up and left in my hand, viz. ſix oxgangs of land in Thorp, and 64 *and* 72

and four dwelling-houſes in York, whereof three are in Skeldergate, and one upon the banks of the river Uſe where he dwelt. Now theſe I have given them for the ſouls of my father and mother, and for my own ſalvation, and that of my ſons, by way of exchange for half a caruecate of land for which they have my father's charter. Moreover Reginald Poer hath ſold to the aforeſaid church of Whiteby, all right that he had to the aforeſaid land, and left the ſame to me for their uſe; and I have ſurrendered it, and given them ſeizin, by that ſame piece of wood whereby I received poſſeſſion. Witneſſes, Nigell my ſon; Hugh Malebiſſe, ſon of my Cupbearer; Robert de Daieville; Roger de Cundi; Robert the Chaplain; John de Crevequer; Roger de Ardenne; Ralph de Popelitum; Robert de Cundi; Aren, ſon of Nicholas the Canon; Ralph de Craniaville; Hugh the Baker; and Hugh de Neupont."

65 and 73 "TO the Archbiſhop of York and chapter of St. Peter's, and to all ſuch as ſhall ſee or hear theſe letters, Roger de Mulbray, greeting in Chriſt. Know all of you, that I have given, and by this my charter confirmed, to God, and St. Hylda of Whiteby, and to the Monks ſerving God there, the land in Thorp which Reginald Poer held of me, viz. ſix oxgangs of land, with a meadow pertaining to them, and with the common eaſement of the ſaid town; as alſo four dwelling-houſes in York; whereof three are in Skeldergate, and one upon the banks of the river Uſe, for my own ſoul, and the ſouls of my heirs and anceſtors, as a free, pure, and perpetual alms, clear from every ſecular ſervice, cuſtom, and exaction, that I and my heirs, whether in life or death, may particularly have their prayers. Now I and my heirs will warrant this alms and donation to the aforeſaid Monks of Whiteby againſt all men; and if it any way happen that we are not able to warrant the ſame to them, we will give them the value in exchange. Witneſſes, William of Sceinegrive; Roger of Flameville, *(Flambro')*; Walter de Templo; Walter de Turchilby; Walter de la Riveres; William de Magneby, Diriv'; William of Houcheſgard; Hyvo of Ugylbardby; Clibno Biſcop; Norman the Cook; Hugh the Hoſtler; Geoffrey de Boſco; Thorald the Frenchman; and many others."

The Abbot Benedict was, by this time, grown very unpopular; his being a foreigner made him hated; and his heaping ſo many favours on his three nephews, Richard, Hugh, and Benedict, raiſed an univerſal clamour: But above all, his badly managing and ſquandering away the Abbey revenues, irritated the Monks ſo much againſt him, that at laſt they laid their complaints
141 before "Henry Murdac, then Archbiſhop of York, who, in the year 1148, ordered a ſpecial chapter to be held at Beverlay, where he ſummoned the Abbot, and alſo his accuſers, to appear before him, that he might be throughly able to judge of their differences: On which, Benedict, no longer able to bear with the troubles brought upon him by his adverſaries, reſigned his office, to the no ſmall joy of the convent at Wyteby: Afterwards, with the conſent of the whole chapter, he retired to the church of All Saints in Fyſchergate at York, and there ſpent the remainder of his days"

"Benedict

"Benedict being thus depoſed, the Monks of Witeby conſulted together about chuſing another Abbot; and, applying to Henry Murdac the Archbiſhop, deſired his advice and directions therein. He told them, he would not permit them to chuſe any other Abbot while Benedict was alive, unleſs they would conſent to be governed by him, and chuſe one of the three following perſons, viz. either firſt, Mr. Thomas the Grammarian, a Monk of St. Alban's, and his nephew; or ſecondly, Mr. Richard, Prior of the Monaſtery of St. Peter at Burgh, *(Burgenſis)*; or thirdly, Mr. German, Prior of the Monaſtery of St. Oſwin the King, at Tinemut; which laſt was afterwards made Abbot of Seleby. The Monks of Witeby, conſulting with their friends, at length canonically elected the above-mentioned Prior Richard for their Abbot; not only becauſe he was known to be a prudent man, but was alſo deſcended of noble parentage. After which, Walter their Prior, and Mr. Martin, one of their Monks, two men of good report, who, from their youth, even till their dying days, ſpent their time in works of piety, and in promoting the good of the Monaſtery to which they belonged, were diſpatched in the name of the whole fraternity to Burgh. When they arrived at Burgh, the brethren there received them honourably on St. Dunſtan's day, which that year happened to fall on the Octaves of the Aſcenſion; and for that reaſon both theſe feſtivals were obſerved on the ſame day. The brethren at Burgh would hardly ſuffer Richard to accept of his promotion, ſo much they regretted the being deprived of his company: However at length they complied; and with the permiſſion of Martin his Abbot, and the whole convent at Burgh, he ſet out, on the ſecond day of Pentecoſt, *(Whit-Monday)* honourably attended by ſome friends, and the two Monks from Witeby. They arrived ſafely at York, where King Stephen did then reſide, by whom Richard was kindly received: And when the King was informed of the election the Monks had made, and of the good character of this Richard, he confirmed their choice, and received his homage. The Archbiſhop, on admitting him, adminiſtered the following oath to him."

"*Archbiſhop.* Will you yourſelf obſerve the order and rule of St. Benedict, and diligently inſtruct ſuch as are ſubject to you to do the ſame?"

"*Abbot.* I will."

"*Archbiſhop.* Will you alſo collect the revenues of your church, which have hitherto been unjuſtly ſquandered away; and, as far as you are able, preſerve them when ſo collected, for the uſe of the fraternity in your church, and for the aſſiſtance of ſuch poor ſtrangers as may viſit you?"

"*Abbot.* I will."

"*Archbiſhop.* Will you yourſelf practiſe humility and patience, and teach others to do the ſame?"

"*Abbot.* I will."

"*Archbiſhop.* Will you in all things pay canonical obedience to your holy mother church of York, and to my ſucceſſors?"

"*Abbot.* I will."

"Richard being thus admitted as Abbot, both by the King and Archbiſhop, ſet forward for Witeby, and took charge of the Monaſtery there on the

the Sunday next after the Octaves of Pentecoſt, being the 5th day of June, anno 1148. In that Monaſtery were then thirty-ſix Monks, who received him honourably, and congratulated him in the Lord: Nor is it in our power to relate how well he ſpent his life, and how much he increaſed the glory of our Abbey in revenues, in buildings, in churches, and in large poſſeſſions: Neither can it be expreſſed how bountiful, and yet how humble; how generous, and yet how diſcreet and pitiful he was."

In the reign of this Abbot, the library in Whitby Abbey contained the following books or manuſcripts:

138 " Iſidorus ſuper Vetus Teſtamentum.
Iſidori Ethimologikon.
Item ſuper Summum Bonum.
Ambroſius de Morte Fratris ſui.
Ejuſdem Exameron.
Beda ſuper Lucam et ſuper Marcum.
Idem de Temporibus.
Ejuſdem Hiſtoria Gentis Anglorum.
Idem ſuper Apocalipſim.
Idem ſuper Parabolas Salomonis.
Idem ſuper 7 Epiſtolas canonicas et Acta Apoſt.
Rabanus ſuper Mathematica.
Ejuſdem Matthæus Gloſulatus.
Ejuſdem Johannes Gloſulatus.
Paſſionalis Menſis Novembris.
Item Paſſionalis Menſis Januarii.
Joſephus.
Ruffinus.
Effrem.
Gregorius Nazanzenus.
Pronoſticon Juliani Epiſcopi.
Liber Paradiſus.
Item Regula Joannis Caſſiani.
Item Decem Collationes.
Diadema Monachorum.
Item Decreta Pontificum.
Pannoennæ Yvonis.
Proſper de activa et contemplativa Vita.
Gloſæ ſuper Epiſtolas Pauli in 2 locis.
Gloſæ Pſalmorum in 2 locis.
Gloſæ ſuper Cantica Canticorum.
De Situ Dunelmenſis Eccleſiæ.
Liber Mamnonis.
Vita Sancti Cuthberti.
Miracula Sanctæ Mariæ.

Miracula

Miracula Sancti Andreæ Apoſtoli.
Vita Sanctæ Margaretæ, et Sancti Madonii, et Sancti Brendani, et Sanctæ Mariæ Magdalenæ, in uno Volumine.
Vita Sancti Benigni.
Paſſio Sanctæ Katerinæ Virginis.
Item Sancti Firmini et Sanctæ Fidis Vitæ
Item Liber Theopholi, et aliorum Sanctorum, in uno Volumine.
Item Imago Mundi, et Gilda, in uno Volumine.
Item de Naturis Hominum, et Ars Regni, et de Lapidibus, in uno Volumine.
Item Liber Helpſci Compotiſtæ.
Item Liber de Sermonibus, et Sententiæ Abbatis Clarevall, in uno Volumine.
Item Liber de Eccleſiaſticis Inſtitutis.
Item Micrologus de Miſſarum Officiis.
Item Liber Gwidonis Monachi de Muſica, et Ignius de duodecim Signis, in uno Volumine.
Item Conſuetudinum Liber.
Item Liber Odonis.
Tome de Sancta Hilda.
Item Exceptiones Decretorum Gratiani.
Sacramenta Magiſtri Hugonis.
Item Liber de Archa Noæ.
Item Liber Magiſtri Petri Lovonis ſuper tres Epiſtolas Pauli.
Origenes ſuper Vetus Teſtamentum.
Omiliæ Cæſarii Epiſcopi, et Euſebii, et Baſilii, in uno Volumine.
Exodus Gloſulatus.
Liber Simonis.
Item Liber Sancti Gratiani de conflictu Vitiorum et Virtutum, et Sermonum."

The following were their grammatical books.

" Prudentius in 2 locis.
Sedulius in 2 locis.
Proſper.
Theodolus.
Vita Sanctæ Mariæ Egyptiacæ, in duobus Libris.
Aratoris.
Liber Bernardi ſuper Theodolum.
Priſcianus.
Idem de Accentibus.
Boetius de Trinitate.
Idem de Conſolatione.
Liber Platonis.
Item Juvenalis.
Statius Achilleidos.
Tullius de Amicitia, et alius de Senectute.

De Parodo'. Bucolicæ.
Beatius.
Avianus.
Maximianus.
Donatus.
Saco-Remigius ſuper Donatum.
Homerus.
Perſius.
Derivationes.
Natura Beſtiarum.
Præmium Mathematicæ, et Muſicæ Præmium, in uno Volumine."

During the time that King Stephen continued to hold his court at York, he was pleaſed to grant the following royal charter to the Abbot Richard, and to the Monaſtery of Whitby.

"STEPHEN, King of England, to his Archbiſhops, Biſhops, Abbots, Earls, Barons, Juſtices, Sheriffs, Servants, Rulers, and all his faithful ſubjects, whether French or Engliſh, throughout England, greeting. Know ye, that I have given and granted to God, and the church of St. Peter and St. Hilda, and to the Abbot of Witeby, and to the Monks performing divine ſervice there, all the lands, churches, tithes, and poſſeſſions, which King William my grandfather, and King William and King Henry my uncles, by their charters, gave and confirmed to the ſaid church for a perpetual alms, viz. the church of St. Peter at Hacheneſſe, with two carucates of land in that town, four carucates of land in Norfeld, and two carucates of land in Breneſton: Alſo the church of All Saints in Fyſhergate at York, with the land and all other things pertaining thereto; and likewiſe two carucates of land in Caiton: To be held of me, the capital Lord, as peaceably and freely, as the charter of King William my grandfather, and the charters of my aforeſaid uncles, expreſs. Moreover I grant and confirm to them, as an alms, all the churches, lands, tithes, alms, and poſſeſſions, which William de Percy, and Alan his ſon, and William the ſon of Alan, have given, granted, and confirmed to them by their charters: As alſo all their other poſſeſſions, which their other patrons and benefactors have given and granted to them, as is expreſſed in the ſeveral charters granted by them, viz. their church of Witeby, and Nedreby, and Overby, and Gnype, and Figeling, and the other Figeling, and Normanneby, and Sneton, and Oglebardeſby, and Soureby, and Duneſlac, and Neweham, and Stacheſby, and Breccha, and Baldeby, and Flora, and the ſea-port; and the foreſts, with all things pertaining to them, and Sudfeld, and Everlac, and Brocheſey; and the tithes of the ploughlands of Oppelidun, and of Stacheſton, and of Samar, and of Wilton, and of Naforeton, and of Sumerlecaby, and of Emmingham, and of Capremont, and of Ludeford, and of Covenham; and half the fiſhery at Ergum; and the tithes of Steinton, and of Alchinton; and two carucates of land in Hiſleham, as alſo two carucates of land in Tholeſtun: And from the freehold of Robert de Brus, the church of St. Hilda at Middleſburg, with one carucate of land there, and two carucates

cates and two oxgangs of land at Neweham: From the freehold of Foſſard, one carucate of land in Boterwich: One carucate of land in Rotſeby, from the freehold of Euſtace, the ſon of John: A mill, and two oxgangs of land, in Scameſtun; and half a carucate of land in Wicheham: Alſo the church of Hotton, with all the land adjoining thereto, which Alan Bucell granted them in my preſence: Likewiſe the church of Hatton, *(or Ayton)*; and one toft in Walbegate, which Audan gave them. Now all theſe I grant and confirm to them, in the ſame manner as theſe Lords and Benefactors, whoſe freehold they were, gave and granted them by their writs, as the charters and writs of theſe ſaid Lords ſeverally teſtify. Wherefore I will and command that they may poſſeſs the ſame well and peaceably, freely, honourably, and quietly, whether in woods or plains, in meadows or paſtures, in waters or mills, in marſhes or parks, in fiſheries or ſluices; within the borough or without; in fairs or in markets; in the town or out of it; in foreſts or bounders; in paths or paſſages; in high ways, or in any other places or things; with ſoch, and ſach, and thol, and theam, and inſangenethef; and with all the liberties and privileges wherewith they held them, well and freely, in the reign of King William my grandfather, and of the Kings William and Henry my uncles. Witneſſes, A. Biſhop of Karlol; R. Chancellor; R. de Ver; Hugh Bigod; and William de Percy, at York."

In the year 1149, we have the following charter from Adelwalt Biſhop of Carliſle:

"ADHELWALD, by the grace of God, Biſhop of Karleol, to Thomas 9
the Archdeacon and Chapter of St. Mary's, and to all his pariſhioners, greeting, and heavenly benediction. It is the duty of a Biſhop with paſtoral care to defend the lands and poſſeſſions of eccleſiaſtics, eſpecially ſuch as have been conferred upon religious houſes, and by the page of his authority to give them perpetual ſtrength: Therefore, moved with this conſideration, we confirm, as a perpetual alms, to the Monaſtery of St. Peter and St. Hylda at Wyteby, and to the Monks ſerving God there, the church of Croſſeby Ravenſwart, with every thing belonging to it, ſaving the rights of the church of Karliol and epiſcopal uſages. Theſe are witneſſes, Robert, Dean of Appelby; Brichetrich, Prieſt of St. Lawrence; Hondo, Prieſt of Kirkeby; Ivo, a Chaplain; Thorphine de Morlund."

In the year 1150, "Richard, by the grace of God, Miniſter of the church 70
of Wyteby, with the conſent and advice of the whole chapter there, granted, and by the teſtimony of his charter confirmed, to Robert Cook and Walter his ſon, the being maſters of the cook's office; to be hereditarily poſſeſſed by them, in the ſame manner as this Robert had well and freely held the ſame hitherto under the Abbot Richard and his predeceſſors. Now they covenanted to pay Robert and his heirs four ſhillings annually for that ſervice, and promiſed to obſerve this agreement inviolably." This Robert had been known by the name of Cook in the days of all the three former Abbots:

From him the ſurname of Cook ſeems to have had its original, and a family which is now ſpread almoſt over all England.

In the year 1151, we have the following charter from Adam of Ingleby, for the church of Kirkeby:

18 and 20 "TO Henry, by the grace of God, Archbiſhop, and all the Clergy in the chapter at York, and to all ſons of holy Church, Adam de Aengelby, greeting. Know ye, that I, for the ſalvation of my own ſoul, and that of my anceſtors, have given, and by this my preſent charter confirmed, to God, and St. Peter and St. Hylda of Wyteby, and to the Monks performing divine ſervice there to the world's end, as a free and perpetual alms, my church of Kirchaby, with whatever pertains thereto; to be held ſo freely, ſolidly, and quietly, of me and my heirs, as any church is or can be held of any laical Lord for an alms. And of my donation this preſent charter is a witneſs, ſealed with my own ſeal: Alſo theſe are witneſſes, Ralph, the Archdeacon; Terry de Canus; Walter de Rudeby; Arnald, Sacriſt of Hylderwell; Ralph, a Sacriſt; and many others."

18 About two years after this, the ſame "Adam de Aengelby, for the ſalvation of his own ſoul, and the ſoul of his father, and theſe of all his anceſtors, gave alſo, and by his charter confirmed, to God, and St. Peter and St. Hylda of Wyteby, and to the Monks performing divine ſervice there till the end of time, for a free and perpetual alms, the church of Aengelby, with all its appurtenances. Witneſſes to which donation were, William, Archbiſhop of York; Simon, a Canon of Kircheby; Ralph, a Prieſt; Albert, a Writer; and others."

14 About twelve years after this, the ſaid "Adam de Aengelby, for the ſalvation of his own ſoul, gave and granted to the church of St. Peter and St. Hylda at Wyteby, and to the Monks ſerving God there, Aengelby-mill, free, whole, and clear from every ſervice, and from every exaction, with all the privileges and liberties which it had enjoyed from his land during all the former part of his life, viz. that his homagers ſhould keep in repair the mill-dam and houſe, and bring thereto the main timber and millſtones, as they had till then done. Now his two heirs allowed of this donation, namely, Sicily and Wymare his daughters, with their huſbands Elzy and Ralph, on ſuch terms that they were to pay no moulter for what was conſumed in their own families, ſo long as their homagers and other men repaired the mill-dam and houſe, and brought the main timber and millſtones: Nor were they to attempt to make any other mill but that. This mill then he gave to the church of Wyteby, for a perpetual alms; of which things theſe were witneſſes; William of Stocſle; Daniel of Kirkaby; William, ſon of Daniel; Elzy and Ralph, his ſons in law; Hernaunt de Stockaſe; and many others."

14 Adam did not long ſurvive this laſt donation; and after his death, "Guido de Baliol granted, and by his charter confirmed, for a perpetual and pure alms, to God, and St Peter and St. Hylda, for his own ſoul, and the ſouls of his father and mother, but particularly for the ſouls of all his predeceſſors and

and ſucceſſors, paſt, preſent, or to come, Engelby-mill, which Adam in his life time gave as freely, quietly, and fully as he had till then held the ſame; with all the moulter, and all the apparatus pertaining to the ſaid mill. Witneſſes, William of Stocheſley; Aelwine de Ronton; Rainer, a Clergyman; Aílmar de Caſtello; Robert; and others."

In the year 1152, the following charter was granted by Henry, then Archbiſhop of York, to the Monaſtery of Whitby:

"HENRY, by the grace of God, Archbiſhop of York, to R. the Dean and Chapter of St. Peter's, and to all his pariſhioners, greeting, and heavenly benediction. It is the duty of every Biſhop, with a paſtoral care, to defend the lands, revenues, and poſſeſſions given and granted to eccleſiaſtics, and particularly to religious houſes; and by the authority of his charter to ſettle, eſtabliſh, and confirm the ſame: For which reaſon we confirm, as a perpetual alms, to the Monaſtery of St. Peter and St. Hylda at Wyteby, and to the Monks ſerving God there, the church of St. Mary in the ſaid town, with its chapels of Sneton and St. Stephen's in Fyling, and their appurtenances; and the church of St Mary at Hakneſſe, with its appurtenances; and the church of Samar, with its appurtenances; and the church of Hoton, with its appurtenances; and the church of Croſsby-Ravenſwarth, with its appurtenances; and the church of Aton, with its chapel of Neweton under Ohtnebereg, and other appurtenances; and the church of Kyrkeby, with its appurtenances; ſaving the rights of the church of York, and epiſcopal uſages; except the church of St. Mary at Wyteby, which ſhall be free from Synodals. Moreover we grant and confirm, as a perpetual alms, to the ſaid church of St. Peter and St. Hylda at Wyteby, and to the Monks ſerving God there, whatever the Kings of England, William, Henry, and Stephen, gave and confirmed to the aforeſaid church, viz. all the liberties and dignities of the church of St. John at Beverlac, and the church of St. Wilfrid at Rypon, and the church of St. Peter at York. Alſo we grant to the Monaſtery of Wyteby, and to the Monks of that place, the church of All Saints in Fychergate at York, with its appurtenances, to be a proper cell for the Monks of Wyteby, free and clear from every epiſcopal uſage, as William and Henry, Kings of England, gave and granted the ſame to the aforeſaid Monaſtery of St. Peter and St. Hylda at Whiteby, with ſuch liberties as the church of St. John at Beverlac, and the church of St. Wilfrid at Rypon enjoy; that ſome Monks from Whitby may continually reſide in that place, and daily celebrate divine ſervice there for the Kings of England and their heirs. We alſo grant and confirm to the Monaſtery of Wyteby, and to the Monks of that place, *Ferrum Judiciale*, with its appurtenances, *et Foſſam, cum omnibus quæ ad eam pertinent*. Likewiſe we grant and confirm to the ſaid Monaſtery of Wyteby, the church of St. Hylda at Midilſburgh, with its appurtenances, to be a cell for the aforeſaid Monks, free and clear from every epiſcopal uſage; and the church of St. Peter at Hakneſſe, to be alſo a proper cell for the Monks of Whiteby. Witneſſes, Savaric, Abbot of York; Aelrid, Abbot of Revall; Bernard, Prior of Bridlington; Cuthbert, Prior of Gyſburn; Geoffrey, Prior of Kyrkeham; and Robert the Archdeacon." 52 *and* 78

In

In the year 1154, William, (commonly called St. William) Archbiſhop of York, granted his charter to the Monaſtery of Whitby, which is almoſt in the very ſame words with that of Henry's, the preceding Archbiſhop, only
53 that in this charter, "William likewiſe confirms to the ſaid Monaſtery the
and church of Engleby, with its appurtenances, given thereto by Adam, Patron
79 of the ſaid church, upon the holy altar, in the preſence of this Archbiſhop and his retinue. Witneſſes to William's charter are, Cuthbert, Prior of Gyſburn; Symon, a Canon of Kyrkeham; Mr. Robert of the hoſpital; Roger, a Prieſt; Ralph, a Prieſt; Vivian, a Prieſt; Godefrid, a Prieſt; Albert, a Deacon; Geoffrey de Boys; and Robert the Cook."

When William the Conqueror came into England, he gave conſiderable poſſeſſions near Battel-Bridge, now called Stamford-Bridge, to an adventurer that came along with him, called Cancy, or Chancy; the little town, or village, of Skirpenbeck, and a large tract of land all round it, were aſſigned him for his ſervices; of this he, and his ſucceſſors after him, were for many ages the lords and owners. The family I apprehend is now extinct; but in the reign of Henry II. Walter de Cancy, and his ſon Anfrid, were very conſiderable, as appears by their donations made to the Monaſtery of Whitby, for which we have a number of Charters, whoſe ſeveral contents are now to be inſerted, after reminding the reader that the firſt of them ſeems to be granted about the year 1155, and all the following ones, in the days of the Abbot Richard, during the reign of Henry II.

120 "KNOW all men who ſee or hear theſe letters, that I Walter de Cancy, with the aſſent and conſent of Alfrid my ſon and heir, have granted and given to the church of St. Peter and St. Hilda at Whiteby, and to the Monks ſerving God there, as a free, quiet, and perpetual alms, the advowſon and donation of the church of Scripenbec, with all its appurtenances: And moreover, out of the tillage land in my lordſhips, fifty acres in the ſaid town fields, viz. ſixteen and a half acres in Blaland, eight and a half acres in Stoches, and three acres in the culture which was Turald's; and in another part of the town, twenty two acres at Whiehand; and in the ſame town, all that land, as one toft, lying between the church toft and the toft of William Nores; and common right of paſturage in that town. Now theſe things I give for ever to the aforeſaid church of Whiteby, for my own ſalvation, and that of my ſons, my anceſtors, and ſucceſſors, free, clear, and quiet from every ſecular ſervice, cuſtom, and exaction: And this my aforeſaid donation my ſon Alfrid hath alſo given to the ſaid church of Whiteby with his own hand. Witneſſes, Nicholas, Prieſt of Scripenbec, and Aſceline his Chaplain; Norman, Prieſt of Botercrame; William, ſon of Mamerdus; Geoffrey of Bugthorp; Serlo of Welthorp; Peter of Sutteth; William de Fublet; Gaſnegod; Richard Briton; Walter de Cancy; Hugh, ſon of Adoem; Archel of Botercrame; Syvard of Joilthorp; William Nores; and many others."

120 "WALTER de Cancy, to all who ſee or hear theſe letters, greeting in the Lord. Know all of you, that I have granted and given, and by

by this my preſent charter confirmed, to God and St. Hylda, and the church of Whiteby, and to the Monks performing divine ſervice there, for a free and perpetual alms, for my own ſoul, and the ſouls of my anceſtors and heirs, and for the ſoul of my Lord King Henry, and the ſouls of his heirs, beſides common right of paſturage in the whole town of Scirpenbec, common right of paſturage alſo with me and my heirs through all my lordſhip in the ſaid town, ſo that the cattle *(avariæ)* of the Monks of Whiteby, without any impediment or diſturbance, ſhall graze and paſture, fully and freely, through all my lordſhip in the ſaid town, whereſoever my own cattle, and thoſe of my heirs, graze and feed. Now this paſture neither I nor my heirs ſhall ſell, nor enter the ſame, without the conſent of the aforeſaid Monks, leſt the Monks of the before-mentioned church ſhould receive any damage thereby. Witneſſes, Ralph, Prieſt of Whiteby; Norman, Prieſt of Botercrame; Roger, Chaplain of Whiteby; Geoffrey of Bogethorp; William de Fublet; Reginald of Sneton; Ivo of Ugilbardby; William of Houſgar; Roger his brother; Ralph Pateſine; Walter de Cancy; Brumman; Walter of Steynſiker; Hugh the Hoſtler; Clibno of Lathgarth; Robert Cook; and many others."

"WALTER de Cancy, to all his homagers and friends, French or Engliſh, and to all who ſhall ſee or hear theſe letters, greeting. Know ye, that I have hereby given and granted to William de Fublet my nephew, two oxgangs of land at Battel-Bridge; as alſo three cultures in my lordſhip at Frenda, reaching from thence to Battel-Bridge, for his ſervice, to be freely, quietly, and hereditarily poſſeſſed by him and his heirs, of me and my heirs, with all the appurtenances belonging to this land, on performing ſuch free ſervice for the ſame as belongs to two oxgangs of land, whereof ten carucates make a knight's fee; farewell. Witneſſes, Symon de Chancy; Geoffrey Lirit'; Peter of Sevirtan; Serlo of Jolthorp; Richard Barun; Gaſagon; William of Helpthorp, and Ralph his brother; Hernald de Harans; Lambert Cancy; Nichol, a Clergyman, *(Prieſt of Scirpenbec)*, and Ralph his brother; Azeline, a Prieſt; Aſcatill; Auger; William Norais; Geoffrey de Cancy; William de Cellum; Nalipres; Robert, the brother of Grende; Robert, the brother of Serlo; Geoffrey, ſervant to the King of Leig'; Uſepat, the Steward, &c. &c. 121

It appears by the memorial, *(ſee page 72)*, that William de Fublet afterwards gave theſe laſt-mentioned premiſes to the Monaſtery of Whitby, and to confirm that donation we have the following charter from Anfrid, ſon of Walter de Cancy:

"ANFRID de Cancy, to all his homagers, French or Engliſh, and to all *horthodox* ſons of holy mother Church who ſhall hear theſe letters, greeting. Know ye, that I have given and granted, and by this preſent charter confirmed, to the Monaſtery of St. Hylda at Wyteby, and to the Monks ſerving God there, for a perpetual alms, all that land which my father gave to William de Fublet, and his heirs, as an inheritance, viz. two oxgangs of land 53

land at Battel-Bridge, and thoſe cultures which were in my father's lordſhip, reaching from an aſh-tree to Battel-Bridge, with all the appurtenances pertaining to that land, to be held as freely and quietly, of me and my heirs, as my father granted the ſame to the aforeſaid William; that is, for the free ſervice which pertains to two oxgangs of land, whereof ten carucates make a knight's fee. Witneſſes, Nicholas, a Clergyman, *(Prieſt of Scirpenbec)*; Walter, a Chaplain; Gamell', Prieſt to Serlo; Peter, ſon of Grente; Richard Barun; Roſker; Hugh, ſon of Outhen; Gernagot; William, brother to Anfrid; William Cell'; Odo Peteſin Lund'; William Norres; Gosfrid; Hermo de Ponte; and many others."

53 "KNOW all ſons of holy mother Church, preſent or to come, who ſee or hear theſe letters, that I, Anfrid de Cancy, out of free devotion and an unalterable reſolution of mind, by this my charter confirm to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Monks ſerving God there, for ever, the church of Scerpinbec, for a free, quiet, and perpetual alms, with all its appurtenances, whether in tithes, lands, or poſſeſſions, from the living or dead, and all uſages or cuſtoms belonging of right to that church, as freely and fully as any church in the dioceſe of York poſſeſſes or enjoys the ſame, as I have alſo granted the donation of that church to the Monks of Wyteby in my father's charter, and as I now grant and confirm the ſame to the aforeſaid Monks by this my charter. Moreover by this my charter I grant and confirm, free and clear from every exaction, fifty acres of land which my father gave to the ſaid church, for my own ſoul, and theſe of my father and mother, and all my predeceſſors and ſucceſſors: And that my heir and other ſucceſſors may know that my donation of this alms is perfect, I give my bleſſing, and that of all good chriſtians, to ſuch as ſhall maintain this alms thus given by my father and me: But, on the contrary, wiſh the curſe of God may fall on all thoſe who ſhall attempt to infringe the ſame, or to ſeparate it from the church of Wyteby. Of which things theſe are witneſſes, Ralph, a Prieſt; Albert, a Prieſt; William, a Prieſt; Nichol, a Deacon; Reginald, a Deacon; and others."

54 "KNOW all men, preſent or to come, who ſhall ſee or hear theſe letters, that I, Anfrid de Cancy, have given and granted to the church of St. Peter and St. Hylda at Wyteby, and to the Monks ſerving God there, for a perpetual alms, half a carucate of land in Scirpinebec, with tofts and crofts, with meadows and paſtures, and common right of paſturage over all, whereſoever the Lord of the Manor's cattle graze or feed; as alſo common right in the town's paſture, and every other thing pertaining to that land, free and clear from every ſecular ſervice, exaction, or tax, whether belonging to the King or to me; the ſame to be held of me and my heirs, as a pure and perpetual alms. Now this land aforeſaid I have given to the church of Wyteby, and confirmed it by my charter, for myſelf, and my wife and children, and for the ſouls of my father and mother, and for the ſouls of my anceſtors, and for the reſtitution of fifty acres which I unjuſtly took away out of the hundred

hundred acres heretofore given by my father to the ſaid church. Of which donation the witneſſes are, Helyas, a Prieſt; Nichol, a Clergyman, *(of Scirpenbec)*; Gervaſe, a Clergyman; John, a Clergyman; Gosfrid; Brito of Buketorp, Anfrid's Cup-bearer; Serlo of Joltorp; William Burdun; and Hugh, ſon of Fulch."

"KNOW all men who ſhall ſee or hear theſe letters, that I, Anfrid de Cancy, have given and granted thirty acres of land in Scirpenbec, to God, and St. Peter and St. Hylda of Wyteby, and to the Monks performing divine ſervice there, for a free, quiet, and perpetual alms, without any ſecular ſervice, cuſtom, or exaction, to be held ſo firmly and freely, that no alms in Yorkſhire may be held more free and clear from every ſervice, for the ſouls of my father and mother, on ſuch terms, that my court, on the day of its anniverſary, ſhall receive in the aforeſaid church of Wyteby, all the beer, the bread, and other things which a deceaſed Monk has on the day of his obit, according to the cuſtom of that place. Now I have given theſe thirty acres, not lying all together in one culture, but diſperſed through the whole field, viz. in Suttunewath, two acres and three * perches; in Stoches, ſix acres and one perch; in Woulfhow, four acres; in Wartecroftend, and in Deſeſend, ſeven acres; in Litilhouſcher, four acres and two perches; in Hunland, three acres; in Scortbut, one acre and two perches; and adjoining that culture, one acre. And this land I have offered up on the altar of St. Peter and St. Hilda at Whiteby by one ſtaff, and have afterwards confirmed the ſame by this my charter, before theſe witneſſes, John, Chaplain of Ugilbardby; Walter, Parſon of Dun', *(probably Dunſley)*; Roger of Houſgarth; Geoffrey of Boſco; and Robert Cook. Moreover I have granted and given, and by this my charter confirmed, to God and the aforeſaid church, and to the Monks performing divine ſervice there, as a free and perpetual alms, common right of paſturage throughout all my lordſhip, ſo that the cattle *(avariæ)* of the Monks of Whiteby ſhall graze and feed whereſoever my own cattle, and theſe in my lordſhip, graze or feed. Of which donation theſe are witneſſes, Ralph, Prieſt of Whiteby; John the Chaplain; Thomas, Prieſt of Houſgar; Robert, Prieſt of Aton; William de Argentum; Richard de Argentum of Lofthous; Robert of Skelton; Peter of Scarburgh; Richard ſon of Pagan; Michael ſon of Adam of Thwen; Nichol, a Deacon; Robert, Prieſt of Lith; Reginald his companion; Mr. Robert; Adam, Steward to Beſing; Walter, his brother; Richard Craſſus; Orm the ſon of Symeon; Gilbert de Walcot; Norman of Malton; Thomas, the brother of Martin; Martin, the ſon of Swartchole; Ralph, the ſon of Goſs; Alan the Plaiſterer, *(Cementarius)*; Stephen, ſon of Wynhe; Thomas Pellipernis; Ace of Lokton; Torold of Boleby; Symon of the Jayl, *(Golæ)*; Norman Cook; and many others." 120

"ANFRID de Cancy, to all who ſee or hear theſe letters, greeting. Know ye, that I have granted and given, and by thispreſent charter confirmed, 121

* The perches mentioned in this charter appear to be rods.

confirmed, to Anfrid the Clergyman, (ſon of Arnald) my grandſon, *(filiolo meo)*, as a pure and perpetual alms, one toft in Scridenbek, over againſt the gate of Mr. Nicholas the Parſon, with a croft pertaining thereto, and with all other appurtenances and eaſements, whether in the town or out of it, to be held of me and my heirs, free and clear from every ſecular ſervice, on paying me and my heirs annually for the ſame half a pound of cummin, at the birth-day of our Lord, for every ſervice; ſo that the ſaid Anfrid when he dies, or aſſumes a religious habit, ſhall have free power to give the aforeſaid toft, with its appurtenances, to whom he will, as a freehold and inheritance, to be held of me and my heirs without any diſturbance, on rendering the before-mentioned ſervice for the ſame. Witneſſes, Nicholas, Parſon of Scirpenbek; Laurence, his nephew; Thomas, his brother; Adam, his brother; Peter, ſon of Grent of Sutton; Jurdan, his ſon; Henry, his brother; Reginald, ſon of Dun; Peter, ſon of William of Wilberfoſs; Jurdan, his brother; William, ſon of Reginald, ſon of Dun; Hugh, ſon of Keteld of York; Walter, ſon of Hoſbern of Barkeſthorp; Walter, ſon of Pany of Katton; Hugh, ſon of Roger; Andrew, ſon of Turg', &c."

The above-mentioned premiſes, I apprehend, were afterwards given by this Anfrid to the Monaſtery of Whitby, though no charter for ſuch a donation now appears among our records.

54 and 121 "KNOW all men, preſent or to come, that I Odo, ſon of Norman, Steward to Lord Anfrid, have given, and by this my charter confirmed, to the church of St. Peter and St. Hylda at Whiteby, and to the Monks ſerving God there, twelve pence yearly during my life, and four ſhillings yearly after my death, out of that land which my Lord Anfrid gave me for my ſervice in Scirpenbek, which my heirs ſhall pay to the aforeſaid church after my deceaſe, viz. two ſhillings every Whitſuntide, and two ſhillings more every Martinmas, as a free and perpetual alms, for my own ſoul, and for the ſouls of my anceſtors. Witneſſes, Anfrid de Chancy; Mr. Alan of St. Peter's; Nicholas, Parſon of Scridenbek; Jurdan Bruton; Peter, ſon of Grente; Anfrid, a Clergyman, &c. Excepting the ſervice of our Lord the King."

13 In the year 1156, "Hugh Malet granted, and gave to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Monks performing divine ſervice there, all his lordſhip in Rowelle, and particularly thoſe two oxgangs of land which before the making of this charter they held of him for three ſhillings per annum, with all the tithes of the ſaid lordſhip after the death of Geoffrey, the Chaplain of Reginald, and alſo the paſture pertaining to that lordſhip, and the Chapel below the court-houſe or hall *(infra curiam)*. Now all this he gave for a perpetual alms, free and clear from every ſecular cuſtom or foreign ſervice, for his own ſoul, and that of his wife, and for the ſouls of his father and mother, as his father Yvo Malet freely and fully poſſeſſed the ſame. Moreover he gave to the ſaid church that toft which is before the gateway of the ſaid lordſhip, a part of which Viel held of his mother Margaret.

Margaret. And with all theſe, he alſo by his charter granted and confirmed to the ſaid Monks the ſervice which he had been uſed to receive yearly from Croxeby, as well for plowers as reapers. Alſo at the ſame time his heir Ralph granted all theſe things as an alms to the aforeſaid church, free and clear from every exaction or ſervice. Witneſſes, Ralph, a Sacriſt; Nicholas, a Deacon; Gervas, a Prieſt; Benedict, Prieſt of Wycham; Robert, a Prieſt; Reginald, a Prieſt; Odo de Neuhiis; Arnold, ſon of Benedict; Walter, his ſon; and many others."

At the ſame time this alms was confirmed to the Monaſtery of Whitby by Robert Biſhop of Lincoln, as appears by the following charter:

"ROBERT, by the grace of God, Biſhop of Lincoln, to all faithful ſons 13
of holy mother Church, greeting. Know ye, that Hugh Malet in my preſence hath given as a perpetual alms to God, and to St. Peter the Apoſtle, and St. Hylda of Wyteby, and to the fraternity in that place, all his lordſhip of Rowelle, with all the tithes of that lordſhip; yet ſo that Geoffrey, Chaplain of Lincoln, the Canon, ſhall freely poſſeſs and receive all the tithes of the ſaid lordſhip of Rowelle, during the whole term of his natural life; and, after the death of Geoffrey, the Monaſtery of Witeby ſhall perpetually and quietly poſſeſs the ſaid tithes of the lordſhip of Rowelle, with the chapel and cimitery in that lordſhip. And it is hereby to be underſtood, that Hugh Malet is to keep in his own hand all the villains or tenants, with their whole tenure. Now this donation, made as is above ſaid in our preſence, we confirm and ſtrengthen with the teſtimony of our ſeal."

Next we have a charter for the donation of the church of Slingeſby, in the year 1157, as follows:

"KNOW all ſons of holy mother Church, who ſhall ſee or hear theſe let- 20
ters, whether preſent or to come, that I, Maſcy de Curcy, (Matilda my wife and ſpouſe, and Richard my ſon and heir, allowing and aſſenting,) have given and granted, and by this my charter confirmed, to the church of St. Peter and St. Hilda at Wyteby, and to the Monks ſerving God there, the church of Sclingaſby, with all its appurtenances, for a free, quiet, and perpetual alms, as William Hay gave and granted it to the aforeſaid church. Witneſſes, Ralph, a Sacriſt; Roger, a Sacriſt; Godwine, a Sacriſt; Robert, a Deacon; that ſame William Hay, by whom the donation was firſt made; William de Friebois; William of Houkeſgart, and Roger his brother; Norman Montarius; and others."

It was nearly about this time that the name and family of Hay ſeems firſt to have originated, which had its riſe here in Yorkſhire from the before-mentioned William, or his father, living at or near ſome bounder fence or hedge, which in the old Engliſh or Saxon language was always called a hay, a word ſtill uſed in many places of Yorkſhire in that very ſenſe: Thus Scalby Hays is a part of the bounder fence of Whitby-Strand; and in playing at balls the hays are well known to be extreme bounders or places which the ball is not

allowed to paſs. Among the old law-terms *haius* or *haia* is always Latin for a hedge or bounder, and this William in our original charter is twice wrote *Will. Haii*, which is as much as to ſay William of the Hay: Alſo at page 82, William Hay in the original is wrote *Will. de la Haiæ*; and at page 93, mention is made of *Roger Hai*; likewiſe in a ſucceeding page we have a charter from *Stephen Hai*. From all which I would conclude that this family then firſt got that name from having their habitation not far from Whitby, in the neighbourhood of ſome very remarkable bounder fence, their ſurname being conſtantly the genitive caſe of *Haius* or *Haia*, whenever it occurs in our records.

Alſo, in the year 1157, Robert Chambord confirmed the church of Slingeſby to the Monaſtery of Whitby by the following charter:

20 "KNOW all ſons of holy mother Church, preſent or to come, that I, Robert Chambord, for my own ſalvation, and for the ſouls of my father and mother, and all my predeceſſors, have granted, and by this my preſent charter confirmed, to God, and St. Peter and St. Hilda of Wyteby, and to the Monks performing divine ſervice there till the end of time, as a free and perpetual alms, the church of Singelby, with all its liberties and appurtenances, reſerving however the tenure of Sampſon the Prieſt, ſo long as he lives, or continues in a ſecular habit. Now this Samſon, Prieſt of Slingelby, was there perſonally preſent, and, among others, freely approved of this donation. Witneſſes, Ralph, a Sacriſt; Roger, a Sacriſt; Richard, Chaplain of Samar; Henry de Percy; Bartholomew of Thorney; and others."

58 In the year 1158, "Stephen de Bolemer granted, and by the monument of his charter confirmed, the donation of the church of Atun, with four oxgangs of land, and the dwelling-houſes belonging thereto, which Robert de Mainill and his wife Gertrude, of pious memory, gave to the church of St. Peter and St. Hylda at Wyteby, as a free, quiet, and perpetual alms. Moreover on his own part he gave and granted to the aforeſaid church twenty four acres of land newly plowed out, for the ſalvation of his own ſoul, and that of his wife and children and anceſtors, as a free, quiet, and perpetual alms. Witneſſes, Cuthbert, Prior of Giſeburn; Herviſe, Prior of Martun; John, ſon of Letald, a Canon of St. Peter's; Bertram de Bulmer; Arnald de Percy; and others."

72 In the year 1159, "Richard, by the grace of God, Abbot of Whiteby, with the aſſent of the whole Chapter there, granted to Oſbert of Thorp, and his heirs, as a freehold and inheritance, ſix oxgangs of land at Thorp, and three dwelling-houſes in Skeldergate at York, (being the tenure of Reginald Puer,) which * Roger de Mulbray gave to the church of St. Peter and St. Hylda at Whiteby, (in exchange for the land which his father Nigell de Albeny formerly in his life-time had given to the ſaid church), on paying yearly twenty ſhillings at two terms for every lawful ſervice pertaining to the ſaid church, viz. ten ſhillings every Whitſuntide, and ten ſhillings more every Martinmas. Saving the right of the church of Hexham (*Heſtoldenſis*)."

About

* See page 109.

About this ſame time, "Richard, Abbot of Whiteby, with the common 72
conſent of the Chapter there, granted and confirmed to the church of Hexham *(Haguſt)*, and to the fraternity ſerving God there, four oxgangs of hay ground out of their land in Thorp, and two ſhillings out of their toft in York, at two terms, viz. Whitſuntide and Martinmas, which Oſbert their homager, and his heirs, were yearly to pay to the aforeſaid church, wholly reſerving however to the church of Whiteby a yearly revenue of twenty ſhillings. Now this alms, *(continues the charter)* which Reginald Poer, who ſold us the aforeſaid land at Thorp without any reſtriction, afterwards gave to the church of Hexham for his ſon, who was there made a Canon, we, as loving brethren in Chriſt, have determined rather to preſerve and confirm than to invalidate and take away their title to the ſame, whereof the witneſſes are, Geoffrey, Prior of St. Oſwald's, *(near Hexham)* and Robert Hait, one of his Canons; Oſbert the Archdeacon; Gerold, ſon of Serlo; William Winton; Thomas, ſon of Pauline a Canon; Geoffrey, nephew of Gamells; Herviſe de Ricala; Herviſe of the other ſide of the Uſe; Herviſe of Leirthorp; Robert and William, ſons of Reinald Poer; Chetel on the other ſide of the Uſe; Lēmer the Tannur; William Petteny; Symon and Geoffrey, Servants to the Prior of Haguſtald *(Hexham)*; and many others."

Oſbert, the vaſſal and homager of the Abbot of Whitby, mentioned in the two laſt charters, was ſurnamed Buſtard: His family was for many ages in poſſeſſion of our Abbey-land at Thorp; and to him Buſtard-Thorp undoubtedly owes its name and original.

A Printed paper is in theſe our days, and has for time immemorial been handed about and ſold in the town of Whitby, relating a tranſaction that is ſaid to have happened in the year 1159. As no copy of this paper is to be found among our Abbey records, or in any written deed now extant, it will be very difficult for us to trace it to its original: Moſt probably, as we obſerved before, it has had its riſe from the making up of the Horngarth, which was the tenure by which all the Abbey-land near Whitby was formerly held: But then the Horngarth is here ſo connected and interwoven with a ſtory about the death of a Hermit or Monk, that it will require ſome trouble to clear up matters. We ſhall beg leave firſt to preſent the reader with an exact copy of this extraordinary paper, and then afterwards make ſuch obſervations thereon as occur, after diligently comparing it with our Abbey records.

"IN the fifth year of the reign of King Henry II. after the conqueſt of England by William Duke of Normandy, the Lord of Ugglebardeby, then called William de Bruſe, the Lord of Sneton, called Ralph de Percy, with a gentleman and a freeholder, called Allatſon, did, on the 16th day of October, appoint to meet and hunt the wild boar, in a certain wood or deſart place belonging to the Abbot of the Monaſtery of Whitby; the place's name is Eſkdale-Side, the Abbot's name was Sedman. Then theſe gentlemen being met, with their hounds and boar-ſtaves, in the place before-named, and there having found a great wild boar, the hounds ran him well near about the chapel

chapel and hermitage of Eſkdale-Side, where was a Monk of Whitby, who was an Hermit. The boar being very ſore, and very hotly purſued, and dead run, took in at the chapel-door, and there died: Whereupon the Hermit ſhut the hounds out of the chapel, and kept himſelf within at his meditations and prayers, the hounds ſtanding at bay without. The gentlemen in the thick of the wood, being put behind their game, followed the cry of their hounds, and ſo came to the hermitage, calling on the Hermit, who opened the door, and came forth, and within they found the boar lying dead; for which the gentlemen in very great fury, (becauſe their hounds were put from their game) did moſt violently and cruelly run at the Hermit with their boar-ſtaves, whereby he died ſoon after. Hereupon the gentlemen, perceiving and knowing that they were in peril of death, took ſanctuary at Scarborough. But at that time the Abbot, being in very great favour with King Henry, removed them out of the ſanctuary, whereby they came in danger of the law, and not to be privileged, but likely to have the ſeverity of the law, which was death. But the Hermit, being a holy and devout man, and at the point of death, ſent for the Abbot, and deſired him to ſend for the gentlemen who had wounded him: The Abbot ſo doing, the gentlemen came, and the Hermit, being very ſick and weak, ſaid unto them, I am ſure to die of thoſe wounds you have given me; the Abbot anſwered, They ſhall as ſurely die for the ſame; but the Hermit anſwered, Not ſo, for I will freely forgive them my death, if they will be contented to be enjoined this penance for the ſafeguard of their ſouls. The gentlemen being preſent, and terrified with the fear of death, bid him enjoin what penance he would, ſo that he would but ſave their lives. Then ſaid the Hermit, You and yours ſhall hold your lands from the Abbot of Whitby, and his ſucceſſors, in this manner, That upon Aſcenſion evening, you, or ſome of you, ſhall come to the wood of the Stray-Heads, which is in Eſkdale-Side, the ſame day at ſun-riſing, and there ſhall the Abbot's officer blow his horn, to the intent that you may know how to find him; and he ſhall deliver unto you, William de Bruſe, ten ſtakes, eleven ſtrout ſtowers, and eleven yethers, to be cut by you, or ſome for you, with a knife of one penny price; and you, Ralph de Percy, ſhall take twenty and one of each ſort, to be cut in the ſame manner; and you, Allatſon, ſhall take nine of each ſort, to be cut as aforeſaid, and to be taken on your backs, and carried to the town of Whitby, and to be there before nine of the clock the ſame day before-mentioned: At the ſame hour of nine of the clock, if it be full ſea, your labour or ſervice ſhall ceaſe; and, if low water, each of you ſhall ſet your ſtakes at the brim, each ſtake one yard from the other, and ſo yether them on each ſide with your yethers, and ſo ſtake on each ſide with your ſtrout ſtowers, that they may ſtand three tides without removing by the force thereof: Each of you ſhall do, make, and execute the ſaid ſervice all that very hour every year, except it be full ſea at that hour; but when it ſhall ſo fall out, this ſervice ſhall ceaſe. You ſhall faithfully do this in remembrance that you did moſt cruelly ſlay me; and that you may the better call to God for mercy, repent unfeignedly of your ſins, and do good works, the officer of Eſkdale-Side ſhall blow, *Out on you*, *Out on you*, *Out on you*, for this heinous

nous crime. If you, or your ſucceſſors, ſhall refuſe this ſervice, ſo long as it ſhall not be full ſea at the aforeſaid hour, you or yours ſhall forfeit your lands to the Abbot of Whitby, or his ſucceſſors. This I intreat, and earneſtly beg that you may have lives and goods preſerved for this ſervice: And I requeſt of you to promiſe by your parts in heaven, that it ſhall be done by you and your ſucceſſors, as it is aforeſaid requeſted, and I will confirm it by the faith of an honeſt man. Then the Hermit ſaid, My ſoul longeth for the Lord, and I do as freely forgive theſe men my death, as Chriſt forgave the thieves upon the croſs: And, in the preſence of the Abbot and the reſt, he ſaid moreover theſe words, *In manus tuas, Domine, commendo ſpiritum meum, a vinculis enim mortis redemiſti me, Domine veritatis. Amen.* So he yielded up the ghoſt on the 8th day of December, upon whoſe ſoul God have mercy. Amen."

In this record, the Abbot of Whitby's name, anno 1159, is ſaid to be Sedman, though it plainly appears from the records of the Abbey, and from our hiſtory, that Richard of Burgh was really at that time Abbot; and he in no part of the records is mentioned by any other name than ſimply and ſingly that of Richard. Nor do we ever find any Abbot of Whitby bearing the name of Sedman after the days of Lady Hilda, when the divine Cedmon lived, and reſided as a Monk or Hermit in the cell on Eſkdale-Side, of whom we have already given an account at page 29 of this hiſtory. It is indeed probable that this Cedmon, after the council of Whitby, on account of his extraordinary endowments, might be dignified with the title of Prior or Abbot in that cell; but then there is no poſſibility of our referring the other parts of this record to ſo diſtant a period of time; and hence is deduced one conſiderable argument to leſſen the credibility thereof.

Again, in this record, Ralph de Percy is ſaid to be Lord of Sneton, and William de Bruſe Lord of Ugglebardeby, though it appears, from the aforegoing part of our hiſtory, that the Abbot of Whitby (by the donation of Alan de Percy and William his ſon) was at that time Lord of both theſe places; and we ſhall afterwards ſhew that the ſaid Abbot actually diſpoſed of the latter of theſe Lordſhips, in the year 1182, to William de Everley, and of the former, about the year 1300, to Sir Alexander de Percy, ſon of Sir William de Percy of Kildale. But in the year 1159, no Percy had an inch of land at Sneton, nor had Bruſe any land at that time any where in Whitby-Strand. Indeed the very names ſeem to be fictitious, nor do any ſuch men appear then to have lived as are mentioned in this Monkiſh Legend; for the truth of which aſſertion I appeal not only to the records of Whitby Abbey now in the poſſeſſion of N. Cholmley, Eſq; but alſo to the records of Guiſbrough Priory, now in the poſſeſſion of W. Chaloner, Eſq; both of which contain particular accounts of the two families of Percy and Bruſe, but in neither of them near that period of time is a Ralph de Percy or a William de Bruſe to be met with; though the Percy family were then very numerous in Yorkſhire, and the Bruſes had reſided almoſt a century at Skelton caſtle, but were as yet not become numerous; for that Bruſe who attended William the Conqueror

queror into England does not appear to have had more than one ſon called Robert, who had iſſue two ſons, Adam and Robert, both living in the year 1159; and it is certain the eldeſt ſon and heir of this Adam was called Adam, and not William, as our fabulous record ſeems to ſuggeſt.

Furthermore, the freeholder in this record is called Allanſon or Allatſon; which is evidently not a proper name, but a ſurname: And, there being no ſurname uſed in England, ending in ſon, till near 200 years after this, is to me an unanſwerable argument againſt the credibility of this Legend.

Alſo it appears by our memorial, in page 70, that ſo late as the year 1170 an hermitage only, and no chapel, was to be found on Eſkdale-Side; it being there expreſsly called an hermitage, and not numbered among the chapels belonging to Whitby Abbey: Nor was there ever any chapel there before the reign of the Abbot Roger, about the year 1224.

Yet, notwithſtanding all this, do not underſtand me as if I here had any intention to ſet aſide, or even invalidate, the belief of making up a Horngarth, or penny hedge, for which we have moſt undoubted authority in our records: All that I am now contending for, is to ſhew that no Hermit was ever ſlain on Eſkdale-Side, and that the whole of that hiſtory is a fiction, invented by ſome Monk about the diſſolution of our Monaſtery. The Horngarth has moſt certainly not only a different, but alſo a more diſtant and antient original than what is aſcribed thereto in the aforeſaid ſham-record. While there was a harbour, and any uſe made thereof, it was neceſſary that ſome part of it ſhould be properly ſecured, ſo that veſſels might be built, repaired, or laid up therein, and all kinds of merchandize or goods ſafely imported and exported. Now this could not be done without having a garth formed by a good fence, wherein fiſh might be dried, and other articles depoſited, without any danger of being injured by horſes, cows, ſheep, goats, dogs, or any other kind of animals: Nor were any perſons ſo proper to be called upon for yearly repairing and making up this fence, as thoſe freeholders that lived in the neighbourhood of Whitby, who were moſt likely to be advantaged thereby. And this we find was actually the caſe during all the time our Monaſtery exiſted; every vaſſal or homager of the ſame in Whitby-Strand was obliged annually to attend, and to perform a part of this ſervice, as will be ſhewn by ſeveral extracts from the Abbot's book, which we ſhall beg leave here to inſert, though by that means a few particulars are anticipated as to the order of time.

But let the reader, before he proceed any further, conſider what is already ſaid about the Horngarth in page 96, where it appears that the ſaid garth was actually made anno 1139, and is then mentioned as a thing not at all new, though it is twenty years prior to the date of our monkiſh legend. Let him alſo conſider what is ſaid in page 97, where we find that Almary, on purchaſing an oxgang of the Abbey land at Dunſley, about the year 1150, became liable thereby to the *forenſe ſervicium*, or ſervice of making up a part of the Horngarth, which is a ſecond inſtance in our records of its having been annually made before the year 1159.

After

After this, in the year 1182, we meet with the following record:

"KNOW all men who ſee or hear theſe letters, that I, Richard II. Abbot of Whitby, with the conſent of our whole Chapter, have yielded and granted to William of Everley, and his heirs, as a freehold and inheritance, Ugelbardeby and Everlay, with all their appurtenances, to be held of us, on paying annually for the ſame eleven ſhillings, and aſſiſting us once in Auguſt with ſixteen men from Ugelbardeby, and eight men from Everlay, and making up his ſhare of the Horngard. Now this exception we make with the conſent of the ſaid William, that we keep in our hands the half of his ſhare of Ybrun, from Burſtadgile to its end ſoutherly; and the ſaid William may freely poſſeſs and enjoy the other half as he pleaſes. Alſo the land lying between Ybrun-Beck and Lundegate, reaching from Oxethaithoueth to Lundegate, where Lundegate falls into Ybrun-Beck, is to be common between us, and our homagers at Riſewarp, and the ſaid William, ſo long as it ſhall be untilled and uninhabited; but if we ſhould be deſirous to till and inhabit the ſame, then it ſhall be equally divided between us; and the ſaid William may till and inhabit his half if he pleaſes. But from Lundegate, as far as the Abbey freehold extends, (including the hermitage) we keep in our own hands; yet ſo that William ſhall have out of this we keep what is neceſſary from the green wood for building his own houſes, or from the dry *(or rotten)* wood for making his own fires: Alſo in this land that we keep he ſhall have paſturage for himſelf and his homagers for all beaſts except goats: In like manner he ſhall have there his own ſwine, and thoſe of his homagers in Ugelbardeby, without pannage: But if the Abbot's ſervants will exact an oath from William's ſteward not to bring any other men's ſwine there without the Abbot's leave, the ſaid ſteward ſhall not refuſe making ſuch affidavit; and if he bring any other men's ſwine there, it ſhall be with the leave of the Abbot or his ſervants; under which warrantry he ſhall have common right in all our paſtures." 66

Again, in the year 1232, we find the following record, "Roger, by the grace of God, Abbot of Wyteby, and the Convent there, to all who ſee or hear thoſe letters, greeting. Know all of you, that we have given, and by this our charter confirmed, to Ranulf, the ſon of Alan, and his heirs, nine acres and a half, and ten Rodefal, *(or Perches)* in the town of * Slechetes, with all the eaſements belonging to the ſaid town; it being that land which William Weſtrenſis formerly poſſeſſed: To have and to hold the ſame of us freely, quietly, peaceably, and honourably, for his homage and ſervice, by way of exchange for all the land which he has, or ought to have, in the town of Saureby: Yielding and paying us for the ſame ſixteen pence yearly, viz. eight pence every Whitſuntide, and eight pence more every Martinmas; and aſſiſting us once every year with a plough, and every autumn with a 42

 reaper;

* This town ſeems to be ſo called from its being ſituate between two ſlacks, one of which is formed by the river Eſk, and the other by Yburn-Beck.

reaper; and making up as much of the Horngarth as belongs to one oxgang of land. Now the ſaid Ranulf, and his heirs, ſhall neither ſell nor mortgage this land to any without leave firſt had from the Abbot and Convent of Wyteby. And that this donation, and this exchange, may be confirmed for ever, we have ſtrengthened the preſent writing by ſetting thereto our ſeal."

We have now ſhewn that the Horngarth ſervice was performed by freeholders that lived at Dunſley, at Sneton, at Everlay, at Ugglebardeby, and at Sleights: It appears alſo by Roger Burigan's charter, that in the reign of the Abbot Roger, it was performed by ſuch as lived in Fyling-Dales; and by the charter for the lands in Hardale-Head, there is little room to doubt but this ſervice was alſo performed by ſuch homagers of the Abbot of Whitby as lived near Hackneſs; ſo that it muſt be allowed to have been a ſervice due from all the freeholders in Whitby-Strand, which was performed in the beginning of every ſummer, on the Abbot's bailiff blowing or ſounding a horn, whereby he gave notice that all ſuch as were bound thereto ſhould attend. We ſhall ſee afterwards, anno 1394, that the Abbot and Monks kept neither corn, hay, or any kind of ſtores in this garth, which lay contiguous to the river Eſk, and was never made up on any particular day till after the year 1300, when it was agreed by all parties that it ſhould thenceforward be made up annually on Holy Thurſday even, the reaſon for which plainly appears from the following article, contained among the memorabilia between the Abbot of Whitby and Sir Alexander de Percy of Sneton.

134 "The tenants of the ſaid Alexander, when the Horngarth is to be made up, being uſed to take more than what is neceſſary out of the Abbot's foreſt, and then to ſell the remainder or overplus in the town, for which they have ſeveral times been proſecuted and fined, it was thus ſettled: That the ſaid tenants ſhall have what they receive delivered to them by the Abbot's ſervants, and ſhall deſire neither more nor leſs than what is ſufficient; and if afterwards any defect be found in the ſaid Horngarth, on account of too little being delivered to them, ſuch defect ſhall not be imputed to them, but that defect, if a defect there be, ſhall be ours, and not theirs. Now when they inſtantly claimed three days for making up this Horngarth, no other anſwer was given them, than that they never would be ſatisfied; ſince when they had been properly warned, they had required the eve of our Lord's aſcenſion for the day of making up that garth; and when it was made up otherwiſe, the reaſon was, that day ſometimes fell on the feaſt-day of St. John of Beverlac, *(May 7th)* which being a holiday, the Horngarth could not be made up thereon."

Thus we ſee Aſcenſion eve was appointed for the day of making up this Horngarth, not on account of a Hermit being ſlain in Eſkdale chapel, but to prevent the Abbot's wood being ſtole away and deſtroyed in Yburn-Head: Nor was ever the ſtory of this Hermit heard of, or known in the world, till after the diſſolution of our Monaſtery, when ſome conceited Monk, in order to ſhew and make a boaſt of the great knowledge, learning, and abilities of his fraternity, after they were turned out of doors, took upon him to frame the before-mentioned Legend, in the days of Sir Richard Cholmley, which, on account of the univerſal ignorance that then prevailed here among the vulgar, ſoon gained ground, ſo that before the year 1560 we find the following memoir

moir added, in old Engliſh, on an odd leaf of parchment, in the beginning of the Abbot's book.

"Everie yeer the Horngarth ſervice ys to be doone upon Hollie "Thurſday evne."

"Tho. Cockrill being Bayliff to the Abbot, did meete by ſonn-riſe the Rymeres, the Strangwayes, the Eldringtenes, and Allettſons, (who were bound to this ſervice) in the Strye Head End by Lyttel-Beck. And the ſaid Cockl did ſee every one cutt downe with a Knyfe (he appoynting the wood) ſo muche as ſhoulde ſerve. From thence they cam, not the neareſt way; but, brinnging them upon their backs, went a good way before they cam into the way. So comminge to the water at the towne, and there maid the hedg, which ſhould ſtand three tydes; and then the officer did blow, *Oute upon them.*"

By the blowing *out upon them*, it appears that our Legend was now invented; but the Monk, whoever he was that invented it, ſeems to have been wholly a ſtranger to the Abbot's book, otherwiſe he would certainly have fixed an earlier date thereto, and fathered it upon ſuch perſons as really had an exiſtence at that time. It is ſaid, great liars ſtand in need of good memories, to hinder the fables they deviſe from abounding with contradictions: If ſuch a tranſaction as this about an Hermit had ever happened, it is very ſtrange there ſhould not be the moſt diſtant hint thereof any where in our records, though ſo many opportunities offer of mentioning it. But as for the Horngarth ſervice, it ſurely exiſted as early as the days of King William Rufus: Nay I am of opinion it was uſed long before the conqueſt, by ſuch as were then in poſſeſſion of the port of Whitby; and it is poſſible it may be as antient as the Engliſh Heptarchy, and thoſe Northumbrian Kings, who reigned in the days of Lady Hilda, when Cedmon lived as an Hermit, Monk, or Abbot on Eſkdale-Side: But even then to ſuppoſe any Monk to be ſlain there is very abſurd; ſince the venerable Bede, who lived at that time, and was himſelf a Monk, would not have failed to have made mention of a tranſaction ſo ſtrange and extraordinary.

Having now ſaid enough to ſet aſide this Monkiſh Legend, we ſhall only make an obſervation or two with regard to the Horngarth, and then proceed with our hiſtory. The greateſt part of this garth was always made up by the Abbot and his ſervants, who kept in their own hands, and ſeldom mortgaged, ſold, or diſpoſed of any of their poſſeſſions in Whitby-Strand. At the diſſolution of the Monaſtery it appears four vaſſals only held eſtates under the Abbot, who were bound to this ſervice, viz. the Strangeways and the Elringtons for Sneton and Ugglebardeby, and the Rymers and Allatſons for Fyling-Dales; whoſe ſhares of the Horngarth ſeem to have been adjoining to the water's edge. In theſe our days only one vaſſal remains, who continues to make up a ſmall part of it contiguous to the river Eſk, on account of two oxgangs of land that he poſſeſſes in Fyling-Dales; which land belonged to the Allatſon family before-mentioned till the year 1755, when, the male iſſue failing, it was ſold, and is now the property of a freeholder called Herbert, who ſtill continues every Holy-Thurſday even to perform the cuſtomary ſervice for the ſame.

The place where this little piece of the Horngarth continues to be annually made, is near the factory or poor's-houſe, being the very ſame place where it was made ſome hundred years ago. Nor was it poſſible at that time to have the Horngarth nearer the harbour's mouth; ſince, before the building of our piers, there was ſo great a run of the ſea up the river Eſk, that no boat could land in ſafety there, till it was clear of the breakers, and had got near this garth, where probably conveniences were made for landing or embarking without danger, by having ſteps, wooden piers, and whatever elſe was neceſſary. Indeed, before the making our church-ſtairs, the harbour was not to be come at nearer the ſea than this, by the Monks and ſuch as lived about the Abbey, when the way to the Horngarth lay through the Alms-Houſe Cloſe, and down the ſouth end of Weaſelden-Bank.

57 In the year 1161, "Robert of Livertun gave and granted to the church of Wyteby, and to the Monks ſerving God there, for a perpetual alms, two oxgangs of land in Livertun, in as ample a manner every where as his homagers then poſſeſſed the ſame; as alſo one toft twelve perches broad, and of the ſame length with the other adjoining tofts; and likewiſe common right of paſturage both in the wood and on the plain; yet ſo as not to oppreſs or become burdenſome to him or his homagers, on account of their abounding with money. In his wood, which was fenced round, they were neither to have main timber for their houſes, nor pannage for their ſwine, without his leave. Now he granted them the aforeſaid two oxgangs of land, and toft, and common right of paſturage through all, free, quiet, and clear from every ſecular ſervice, cuſtom, or exaction due to him and his heirs, and alſo from Danegelt, for his own ſoul, and thoſe of his wife, his anceſtors, and heirs. Witneſſes, Alan de Munceus; Randulf, Prieſt of Finglin; William of Karenty; Robert of Aycetun, *(Egton)*; William of Houkaſgart, and Roger his brother; and others."

Sir Alan de Munceus, who is a ſubſcribing witneſs to this charter, nearly about this time gave the church of Burniſton to the Monaſtery of Whitby, as mentioned in the memorial; but his charter for that donation no where occurs among our records, and, with ſeveral others, ſeems to have been loſt near 600 years ago.

19 About the year 1163, the aforeſaid "Robert of Livertun gave, granted, and by his charter confirmed, to God, and St. Peter and St. Hylda of Wyteby, and to the Monks performing divine ſervice there, one toft in Livertun, containing one acre, and lying in that town field; as alſo eighteen acres of land, whereof twelve acres lay in Holmeſdine fronting the ſouth, and two in Whytehil, and two in the culture near his houſe, and two in Hutecroft. Now this toft, with the aforeſaid eighteen acres of land, he gave them, as a perpetual and pure alms, for the ſouls of his father and mother, as alſo for his own ſoul, and theſe of his wife and heirs, and warranted them to the ſaid Monks againſt all men. Witneſſes, William of Herleſey; Ralph, a Prieſt; John Hulfchill; Hugh, a Prieſt; Nichol, a Deacon; Robert, a Clergyman; Gervaſe, the Abbot's nephew; and others."

Afterwards

Afterwards, this ſame "Robert of Livertun gave, granted, and by his char- 20
ter confirmed, to God, and St. Peter and St. Hilda of Wyteby, and to the Monks performing divine ſervice there, twelve pence which he uſed yearly to receive from the ſaid Monks for a toft, which he granted them as a pure and perpetual alms, free and clear from every earthly ſervice, for the ſouls of his father and mother and anceſtors, and for his own ſoul, and thoſe of his wife and ſucceſſors. Witneſſes, William of Herleſey; William of Lid'; Helias of Livertun; Robert ſon of Ivo; and others.

Some time after this, the ſame "Robert of Livertun gave, granted, and 59
by his charter confirmed, to God, and St. Peter and St. Hylda of Wyteby, and to the Monks ſerving God there, two oxgangs of land in Livertun, near other two oxgangs of land which he formerly had granted to the ſaid Monks for his mother; as alſo one toft of four acres, near the houſe of Warine de la More, having a way going through the middle thereof; as likewiſe the land which is between the water of Scineregrive and Scalebec, as far as the foot-way coming from Grenerig; and alſo the land on the other ſide of Scalebec, between the ſaid foot-way and the tillage land of the countrymen, as far as the toft of the two aforeſaid oxgangs; moreover the land in Luſcheldeſic, from the ſea ſhore as far as Dunſcinghalef in length; and from the tilled land of the Monks to Scortebuttes; and from theſe ſame Scortebuttes, two acres adjoining to the way; and alſo the land from Stuntheridighe to the foot-way which comes from Lofthiis; for a pure, perpetual, and quiet alms, free from every earthly ſervice, for the ſouls of his father and mother, and for the ſalvation of his own ſoul, and for his wife and his heirs. Now he warranted the aforeſaid lands to the ſaid Monks againſt all men, before theſe witneſſes, Robert, ſon of William; William of Herleſey; Robert de Laceles; William de Laceles; and others."

The preceding charter contains the earlieſt mention made in our records of the antient family of Laceles, Laſcales, or Laſcelles, whoſe firſt fore-elder came into England with William the Conqueror, as appears by Battel-Abbey Roll. He ſeems to have come over from Normandy in the train of Robert de Bruis, and to have been rewarded for his ſervices out of thoſe lands in Yorkſhire given by the Conqueror to that nobleman, in the ſame manner as Harundel was provided for by William de Percy, his capital lord, out of thoſe territories he had aſſigned him in Whitby-Strand; or as this ſame Bruis provided for Malet, another partizan or follower of his, at Levingthorp on the confines of Cliveland.

There is yet another charter granted to the Monaſtery of Whitby, about the year 1181, by the before-named Robert of Liverton; but whether it be ſooner or later in time than his laſt-recited charter, the reader muſt judge for himſelf by its contents, which are as follow:

"KNOW all men who ſee or hear theſe letters, that I, Robert of Liver- 63
tun, have given, and offered up on the altar of St. Peter and St. Hylda at Wyteby, to the Monks ſerving God there, as a free, pure, and perpetual alms, all that land, whether in woods or plains, lying between the water

ter of Schinnegrive and the water of Scalebec, as far as the foot-way on Grenerig, which foot-way comes from Schinnegrive to Scalebec; alſo the land in Luſekeldeſic, from the ſea ſhore as far as Duncildehalc, and from the tillage land which was formerly the Monks, as far as Scortebutes; likewiſe one toft of two acres, being the next toft but one to Warine of the Moor's; with common right of paſturage, and the other eaſements belonging to that town; on ſuch terms that William the ſon of Robert, and his heirs after him, ſhall hold all thoſe lands of the aforeſaid church of Wyteby, as a perpetual freehold and inheritance, on paying yearly to that church every Lammas day two pounds of incenſe for all ſervices.. Witneſſes, Henry de Percy; Peter of Bradelay; Richard; Roger, the ſon of William; and many others."

We have already informed the reader in page 63, that when Tancred the Flanderkin left England, he ſold both North and South Fyling to the Monaſtery of Whitby; yet notwithſtanding this it appears, that Robert ſon of William of Egton, either as the homager, or (which ſeems moſt likely) as the neareſt of kin and heir at law here in England of Tancred, put in a claim to South Fyling, and actually recovered poſſeſſion thereof. He was however at laſt prevailed upon by Richard the Abbot, (moſt probably for a conſiderable ſum of money) to renounce all his right thereto, and, in the preſence of Roger the Archbiſhop of York, to ſurrender it up for a perpetual alms to the Monaſtery of Whitby; at the ſame time, (viz. anno 1163) giving to the ſaid Monaſtery the church of Saxeby, of which he was then patron. Theſe things were done by the following charter:

13 and 60 "KNOW all ſons of holy mother Church, preſent or to come, that I, Robert ſon of William of Eichetun, for the ſalvation of my own ſoul, and for the ſouls of my father and my anceſtors, have granted, and by this preſent charter confirm, to God, and St. Peter and St. Hylda of Wyteby, and to the Monks performing divine ſervice there till the end of ages, as a free and perpetual alms, the church of Saxeby, with all its appurtenances. Of which the witneſſes are, Ralph a Sacriſt; Eadmund, a Sacriſt; and Richard his ſon, a Sacriſt; William, Prieſt of Hothon; Roger, a Sacriſt, and deputy *(Vicarius)* of the Abbot of Wyteby. Moreover I have reſtored, and offered up on the altar at Wyteby, to God, and St. Peter and St. Hylda, and to the Monks performing divine ſervice there, the town of Fieling, with all its appurtenances, and have quit-claimed, for myſelf and my heirs, whatever right I ſeemed to have in that town, to the church of Wyteby, as a free and perpetual alms, my ſon William alſo granting and aſſenting thereto. Moreover I have ſworn upon the altar, and upon all the holy reliques laid thereon, that I never more will claim any right in the aforeſaid town of Fieling, nor ſhall any one for me; and thus I renounce all right I ſeemed to have in that town. Furthermore, the Abbot Richard, at my requeſt, ſtanding by the holy altar, has excommunicated and anathematized all perſons of whatever condition or rank, and more particularly my heirs, if ever they or any of them attempt to alienate the aforeſaid premiſes from the Lord's table, or give the church of Wyteby

Wyteby any diſturbance about the ſame; and the whole aſſembly preſent, whether clergy or laity, anſwered, Amen. Witneſſes, Roger, a Sacriſt, and deputy Abbot *(Vicarius)* of Wyteby; Geoffrey, Prieſt of Snetune; Ralph, Prieſt of Wyteby; Oſbert Arundel; and others."

As for the church of Saxeby, mentioned in the aforegoing charter, ſome difficulties ſeem to ariſe about determining its ſituation; for though there is a place called Saxey, or Saxhow, on the confines of Cliveland, yet no veſtiges of any church are to be found there, which makes me conclude that we are to look for Saxeby in South Fyling; and what confirms me in this opinion is, the foundations of a church or chapel having only a few years ago been dug up there in the demeſne lands of Sir Charles Hotham, Baronet, ſituate in a field or garth called the Chapel-Garth, adjoining to the houſe of John Craven, who is at preſent one of Sir Charles's tenants, which I am pretty confident is the very place given to Whitby Abbey in the above charter; and Saxeby church being never after this mentioned in our records, proves it to have been a place of little conſequence.

The Abbot Richard, during the whole courſe of his reign, was continually employed in buildings of one kind or another. He not only conſiderably adorned and beautified the Abbey church of St. Peter, but alſo built from the ground a new chapter-houſe on the ſouth ſide thereof. He likewiſe built many granges or ſtore-houſes on theſe ſeveral farms which it was judged neceſſary for the Monks to keep in their own hands. He moreover erected two new chapels within the pariſh of Whitby, viz. one at Dunſley, and the other at Aiſlaby. It is true the former of theſe ſeems to have been a place where public worſhip was performed before the reign of the Abbot Richard, as we find Ralph prieſt of Dun̄, mentioned in page 104, and Walter parſon of Dun̄, mentioned in page 121; but if divine ſervice was then really celebrated at Dunſley, it was in a hermitage, or ſome very inconſiderable cell, that had never been properly conſecrated, and which being pulled down, a chapel was built in its ſtead, by the Abbot Richard, that continued to be an appendage of the church of Whitby till the diſſolution of our Monaſtery. As for Aiſlaby chapel, it ſeems to have been dedicated to St. Margaret, as we find a piece of land near Aiſlaby to this day called *St. Margrett's Launde, alias Thomcroſſebutts*, which an old deed ſays "was formerly given and uſed to maintain a light in the church or chapel of Aiſlaby, called St. Margrett's light."

However, during his reign, the Abbot Richard had the misfortune to meet with ſome diſturbance from the Norwegians: Leland tells us, "That when Richard was Abbot, the King of thoſe people put into the port of Wyteby with a very conſiderable fleet of ſhips; and that he not only plundered the Abbey, but alſo the whole country around it, carrying away every thing he could lay his hands on, whether within or without doors." It muſt be confeſſed theſe northern banditti were now become much leſs formidable than they had been in the preceding centuries: Though they ſtill kept poſſeſſion of the Iſle of Man, the Orkneys, and moſt of the weſtern iſlands adjoining to Scotland, yet they had no footing in, nor even durſt venture openly to attack either

either England or Scotland: But that did not hinder their frequently making deſcents in both, and landing in a piratical manner to obtain what plunder and wealth they could meet with on the coaſt; in like manner, as in our days the piratical ſtates of Barbary infeſt the dominions of Portugal and Spain, and coming on ſhore, where they expect no oppoſition, ſeize on, and carry off whatever booty falls in their way. To prevent the calamities that attended the frequent viſits made by theſe rovers, it was judged abſolutely neceſſary to fortify or imbattle the two Priories of Gyſburn and Bridlington, by making walls and ditches all round them, that they might be in condition to reſiſt an enemy, and ſtand a regular ſiege for ſome days: And, conſidering what damage was now done at Whitby, it is ſurpriſing the Abbey there was not fortified in the ſame manner, to guard againſt any future attempts. However no ſuch thing appears to have been done, nor do we afterwards find that any foreign enemy ever moleſted Whitby.

54 In the year 1165, "Roger the Abbot, and Convent of Eveſham, with the advice and conſent of the whole Chapter there, gave, granted, and by charter confirmed, as a perpetual alms, to the church of St. Peter and St. Hylda at Wyteby, and to their dearly beloved brethren and friends, Lord Richard the Abbot of Wyteby, and the Convent there, the church of Huntingdon, with all its appurtenances, ſo freely, fully, quietly, and entirely, as to poſſeſs or claim nothing there henceforward, except a revenue of ten ſhillings only, to be paid yearly by the ſaid Convent on the octaves of St. Michael. Witneſſes, Roger, Archbiſhop of York; John the Archdeacon; Ralph, a Chaplain; Mr. Richard of Eveſham; and Richard, a Deacon.

70 In the year 1167, "the Abbot Richard, and Chapter of Witeby, granted, and by their charter confirmed, to John the ſon of Samſon, and his heirs, a certain piece of new-cleared land called Farneforde, to be held of them and their church of Queneſuthune, on paying yearly, as ſervice for the ſame, ſix pence every Martinmas."

In the year 1168, King Henry II. granted his royal charter to the Monaſtery of Whitby, as follows;

47 "HENRY, King of England, Duke of Normandy and Aquitain, and Earl of Anjou, to his Archbiſhops, Biſhops, Abbots, Earls, Barons, Juſtices, Sheriffs, Rulers, Miniſters, and all his faithful ſubjects, French or Engliſh, greeting. Know ye, that by my royal authority I have granted and confirmed to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Abbot and Monks ſerving God there, and to all thoſe belonging to the ſaid church, all the liberties, privileges, and cuſtoms which the churches of St. John at Beverlac and St. Wilfrid at Ripun have over their lands and homagers. Alſo I allow them burgage in the ſaid town, and a fair to be held on the feaſt of St. Hylda, with ſoch, and ſach, and thol, and them, and infrangentheof; and let all ſuch as reſort to the ſaid fair have my firm peace, with whatever they poſſeſs, whether coming or going. Alſo I grant to them the ſea port, and wreck or ſea-weed, with tol and them, and with the liberties and cuſtoms pertaining to a ſea port. Moreover I grant to them the church of All Saints

Saints in Fiſchergate at York, and all the land and homagers in that city pertaining to the church of St. Peter and St. Hylda at Wyteby, with ſoch, and ſach, and tol, and them, and infrangentheof, and with all the liberties, privileges, and cuſtoms which the lands and homagers of St. Peter and St. Cuthbert in that city poſſeſs and enjoy. And I charge you to let them poſſeſs and enjoy all the foreſts and paſtures belonging to the Abbey lands in their lordſhip, ſo freely and quietly, that none of my ſubjects may meddle with ſuch foreſts, paſtures, or groves as belong to the church of St. Peter and St. Hylda of Wyteby. Alſo I confirm to them two carucates of land in Hakanes, four in Nordfeld, and two in Briniſton, *ſine Geldo:* And my will and pleaſure is, that they may enjoy all their churches and lands well, and peaceably, and freely, and quietly, and honourably, whether in woods or plains, in meadows or paſtures, in waters or mills, in marſhes or parks, in fiſheries or ponds and ſluices, in the borough or without, in markets or fairs, in the city or out of it, in foreſts or bounders, in paths or ways, in all places or things, with every liberty and privilege wherewith they enjoyed them, well and freely, in the time of King Henry my grandfather, as the charter of that King teſtifies. Witneſſes, Reginald, Earl of Cornwall; Richard de Luſcy; Manaſſe Biſet; and William de Percy, at Notingham. Moreover, I grant and 47
confirm to them all the lands, foreſts, woods, and paſtures, which William de Percy, and Alan de Percy his ſon, founders of the ſaid Abbey, gave them for a perpetual alms, according to thoſe marks and bounders mentioned in the charter of the ſaid Alan de Percy, viz. all the ſea coaſt from the port of Wyteby to Blawyc, and thence to Grenedic, and along Grenedich to Swyneſtiſchage, and to Thornelay; and all Thornelay, and Kirkelac, and to Coppekeldebroc; and thence along the brow of the hill beyond Theoveſdiches, and to Staincroſſegate, which is near the town of Suffeld; and to Gretahued, and to Elſicroft; and the moſs, to the middle of the moſs, and thence to the Derewent; and half the Derewent all along to where the Derewent has its ſource; and to Lillacros, and to Scograineſhoues, and to Sylehou, and to Lithebech, and along Lithebech to the place where it falls into the river Eſch; and half the Eſch all along to St. Hylda's Beck; and up that Beck to St. Hylda's Well, and to the Horſecroft, and to Tordiſa, and to the ſea; and thence along the ſea coaſt to Wyteby. And I forbid all manner of perſons from claiming any right in the woods, paſtures, or groves within the aforeſaid marks and bounders, without ſpecial leave firſt had from the Abbot and Monks of the ſaid church. Witneſſes, Mr. Walter de Conſt', Archdeacon of Oxford; William, Earl of Mandevill, and John ſon of Luke, at Direncurt. Furthermore, I grant and confirm to the ſaid church, and to the Monks 51
ſerving God there, for a free, quiet, and perpetual alms, their town of Fieling, with all its appurtenances, which Robert the ſon of William of Heicheton *(Egton)*, and William ſon of the ſaid Robert reſtored to them, renouncing and quit-claiming the ſame, for themſelves and their heirs, as the ſaid Robert's charter teſtifies: And I forbid all manner of perſons from injuring or diſturbing them in the poſſeſſion thereof, or proſecuting them for the ſame, contrary to the intent and meaning of the ſaid Robert's charter. Moreover, I

grant and confirm to the aforeſaid church, and to the Monks ſerving God there, as a free, quiet, and perpetual alms, half a carucate of land, with its appurtenances, in Liverton; and alſo eighteen acres of land, with its appurtenances, which Robert, the ſon of Nigell of Liverton, gave and confirmed to the aforeſaid church, for a perpetual alms, as the charters of the ſaid Robert teſtify. Witneſſes, Mr. Walter de Conſtance, Archdeacon of Oxford, and William de Humet, Conſtable, at Bury. I likewiſe grant and confirm
51 to the ſaid church, and to the Monks ſerving God there, all the reaſonable donations which Walter de Cancy, and Anfrid his ſon, made and confirmed to them by their charters, viz. the church of Scirpinbech, with ſix oxgangs of land belonging thereto, and alſo other ſix oxgangs of land, their donation, whereof four are in Scripinbech, and two at Battel-Bridge; and beſides theſe, twenty four acres of land, and five cultures, in Scirpinbec. Wherefore my will is, and I ſtrictly command, that the aforeſaid Abbey, and the Monks of that place, may poſſeſs and enjoy all theſe donations, as a free, pure, and perpetual alms, well and peaceably, freely and quietly, fully and honourably, whether in woods or plains, in meadows or paſtures, in waters or mills, in ways or paths, or in what other places ſoever, with all their appurtenances, liberties, and free cuſtoms, according to what the charters of the Donors teſtify. Witneſſes, John, Biſhop of Norwich; John, Biſhop of Ciceſter; Godefrey de Lucy; John Cumin; Earl William de Mandevill; Stephen de Toron' the elder; Andrew; Ranulf de Glanvill; Robert Suttewill, at
51 Wincheſter. Alſo I grant and confirm to the aforeſaid church, and to the Monks ſerving God there, as a free, quiet, and perpetual alms, the church of Hoton, in Pikringlith, with its appurtenances; and, over and above the land pertaining to that church in the ſaid town of Hoton, half a carucate of land, free and clear from every ſervice and ſecular exaction, as is contained in the charter of Alan Buſcel: Likewiſe the land of Weſtcroft near the Derewent, and the hermitage near Weſtcroft, as mentioned in the charter of Alan Buſcel, which the aforeſaid Monks have. Furthermore, I grant and confirm to the ſaid Monks of Wyteby, the church of Berneſtun, with its appurtenances, for which they have the charter of Alan de Muncell; as alſo the church of Queneoſuttun, with its appurtenances, for which they have the charter of Robert de Percy; and alſo the church of Slengeſby, with its appurtenances, as is contained in the charter of Robert Chambart; and in Weſtmoreland, the church of Croſſeby Ravenſwart, with its appurtenances, for a free, pure, and perpetual alms. Witneſs, William Earl of Albermarle,
73 at Notincham. Moreover, I grant and confirm to the church of Whiteby, and to the Monks ſerving God there, ſix oxgangs of land in Thorp, with their appurtenances, and four dwelling-houſes in York, which were Reginald le Poer's, for a perpetual alms, free and clear from every ſecular ſervice, as expreſſed in the charter of Roger de Mulbray, which the aforeſaid Monks
114 have. Witneſs, Richard Humet, Conſtable, at Notyngham. Moreover, I grant, and by this my charter confirm, to God, and the church of St. Peter and St. Hylda at Whiteby, and to the Monks performing divine ſervice there, for a free and perpetual alms, the church of Aton in Cliveland, with all

all its appurtenances, for the proper uſes of the Monks of the aforeſaid church: Likewiſe the church of Midilſburgh, with all its appurtenances, as a proper cell for the uſe of the ſaid Monks. And I forbid all manner of perſons from preſuming to alienate or ſequeſter any of the before-mentioned churches, or to take them away from the Lord's table in the church of Whiteby, or to do the Monks there any injury with regard to the ſame. Laſtly, I grant and confirm to the aforeſaid church of Whiteby, for a free and perpetual alms, the church of Kirkeby, and the church of Ingelby, with all their appurtenances, which the ſaid Monks have, by the gift of Adam the ſon of Viell. Witneſſes, H. Biſhop of Dunelm; S. Biſhop of Ely; Richard de Lucy; Earl William, of Albamaria, *(Albemarle)* at York."

By this royal charter, or rather compoſition of ſeveral charters, it appears that the yearly fair at Whitby was firſt appointed by King Henry II. to be held on St. Hylda's day, or Auguſt 25th, in the year 1168; and this is ſtill the day of its yearly return, it having been very prudently ordered by Nathaniel Cholmley, Eſq; the preſent worthy Lord of our manor, when the new ſtyle took place, that the anniverſary day of the month on which this fair was held ſhould be ſubject to no alteration, which will certainly help to perpetuate the memory of Hylda among us to future ages, how inconſiderable ſoever the fair may be. And though no royal charter appears for holding a weekly market before the reign of Henry VI. yet ſomething of a market was moſt certainly held as early as the reign of the Abbot Richard, ſince we find many hints of it afterwards in our records. But what ſeems moſt ſurpriſing is, that the market-day was always on a Sunday for ſeveral hundred years; and this the charter of King Henry VI. ſays was done in order to ſanctify that day, which to us appears a horrible prophanation thereof. However ſo it was, on the former part of that day the people who came to Whitby market, which was then held near the Abbey, went to maſs, and performed the duties of religion; and in the afternoon they tranſacted their buſineſs, regaled themſelves with oat-ale, and in the evening returned home into the country, many of them drunk; which cuſtom never underwent any alteration till the year 1448, when the parliament of England, taking into conſideration how wicked and irreligious it was thus to prophane the Lord's day, and other high feſtivals, by holding markets and fairs thereon, not only at Whitby, but alſo in many other parts of the nation, paſſed an act for diſcontinuing and aboliſhing that cuſtom, empowering the ſeveral Lords of the manors where the ſame were then held to appoint them to be kept on ſome other day of the week, nor more than three days diſtant from that on which they had formerly been obſerved. Accordingly at Michaelmas, 1449, the market-day and yearly fair at Whitby were appointed by Dr. Ellerton, who was then Abbot, to be held on the ſame days, and in the ſame manner, that have ever ſince been adhered to, and which are now uſed and practiſed by the preſent inhabitants of Whitby.

In the year 1170, Roger, Archbiſhop of York, granted his charter to Richard the Abbot and the Convent of Whitby, as follows, viz. "Roger, by the grace of God, Archbiſhop of York, and Legate of the holy apoſtolic

See, to R. the dean and chapter of St. Peter's, and to all his parishioners, greeting, and heavenly benediction. It is the duty of every Bishop, as a Shepherd, to defend the lands and possessions of ecclesiastics, especially such as are granted to religious houses, and by the authority of his charter to settle, establish, and confirm the same. Wherefore, moved with this consideration, we confirm, as a perpetual alms, to the Monastery of St. Peter and St. Hylda at Whiteby, and to the Monks serving God there, the church of St. Mary in that town, with its appurtenances; and the church of St. Mary at Hakness, with its appurtenances; and the church of Aton, with its chapels and other appurtenances; to the proper uses of that Monastery, and the Monks there; saving the rights of the church of York, and episcopal usages; excepting the aforesaid church of St. Mary at Whiteby, which shall be free from Synodals. In like manner we grant and confirm the church of Ingleby to the proper uses of the said Monastery and Monks, after the death of Reyner their Priest. Likewise we confirm to the aforesaid church of St. Peter and St. Hylda at Whiteby, two tenth parts of the corn in all the manors or lordships of William de Percy, and Alan de Percy his son, and William de Percy, son of Alan de Percy, wheresoever cultivated or sown, either in their time, or in that of their heirs, as is expressed in their charters, viz. in Uplethum, in Wilton, in Samar, in Naffreton, and in Stachesston; as also in Boythorp, by the gift of Hugh de Boythorp; and likewise in Wychaham, by the gift of Pagan de Wychaham. Also we ratify, and by our present charter confirm, the agreement that has been made between the Abbot of Whiteby and the Abbot of Evesham, by the consent of both Monasteries, about the church of Huntyngton, as is mentioned in the charter of the Abbot and Convent of
12 Evesham. Moreover, we confirm to the Monastery of Wyteby, and to the
80 Monks serving God there, for a perpetual alms, the church of Scherpenbec,
and with its appurtenances; and the church of Quenersutton, with its appurte-
13 nances; and the church of Slengesby, with its appurtenances; and the church of Bernesston, with its appurtenances; as also the church of Samar, with its appurtenances; and the church of Kirkaby, with its appurtenances; saving the rights of the church of York, and episcopal usages. Moreover, we confirm to the aforesaid church, by the same authority, the land of Westcroft, with the hermitage adjoining, which were the gift of Alan Buscel; as also two carucates of land in *Neuethon on the Wald*, which were the gift of Walter de Percy; and two oxgangs of land in Uplithum; and likewise Sutfieling, which Robert, the son of William, owned before me he had abjured, and given up to the church of Wyteby, free from him and his heirs. Witnesses, Clement, Abbot of York; Gregory, Prior of Brydlington; John the Archdeacon; Alan, a Canon; Ralph, a Chaplain; William, a Chaplain; Ralph, Priest of Whitby; Master Sewan; Osbert Arundel; John, son of Lethod; Turt', the Archbishop's Cup-bearer; and mahy others."

In the year 1171 we have the following record from William, Earl of Albemarle:

21 "WILLIAM, Earl of Albemarle, to Roger the Archbishop of York, and the whole Chapter of the church of St. Peter in that place, and to all the Clergy

Clergy and faithful Laity in Yorkſhire, greeting. Know ye, that I have ſworn that the tenure in Saureby, which Richard, the Abbot of Wyteby, and the chapter there, allow me to poſſeſs during the term of my natural life, ſhall remain free and clear to the aforeſaid church after my death from any claim to be made by me or my heirs; ſeeing I have received the ſame to be held, not by any right of ſucceſſion, but only as a life eſtate; and therefore I earneſtly deſire that you will bear teſtimony to this, leſt any controverſies or diſputes ſhould ariſe about the ſame after my death. Farewell. Witneſſes, Ralph, a Sacriſt of Wyteby; Robert, a Clergyman; Walter, a Deacon; and others."

In the year 1172, "Baldewine of Iretun, *(Hirton)* with his wife, and two 61
heirs, Ralph and Alan, granted and gave to the church of St. Peter and St. Hilda at Wyteby, and to the Monks ſerving God there, ſix oxgangs of land, which was their property in Fieling, together with the homage of Hugh Brun, who held that land of them, as a free, pure, and perpetual alms, for the ſalvation of their own ſouls, and theſe of all their anceſtors, and clear from every ſecular exaction due to them or their heirs. Witneſſes, Hugh Brun of Everlay; Henry of St. German's; Clement his brother; and others."—This is the firſt mention I any where find made in our records of the antient family of Brun or Brown, a name which I apprehend is of French extraction, and was imported into England at the conqueſt, as it is to be found in Battel-Abbey Roll.

William de Percy, ſon of Alan de Percy, having by this time paid the debt of nature, and being buried in Whitby-Abbey, his daughter Agnes de Percy, about the year 1173, granted the following charter to the ſaid Abbey:

"AGNES de Percy, to all ſons of holy mother Church who ſhall 57
read or hear theſe letters, greeting. Know ye, that I, in the time of my widowhood, have granted, and by this deed confirmed, to God, and St. Peter and St. Hylda of Wyteby, and to the Monks ſerving God there, the church of Samar, with all its appurtenances, which William de Percy my father gave them, as a free, pure, and perpetual alms, for my own ſoul, and the ſoul of Joceline my deceaſed huſband, and for the ſouls of my father and mother, and thoſe of all my anceſtors and heirs. Witneſſes, Richard, Dean of Samar; Thomas, Prieſt of Hakaneſſe; Roger, ſon of Ralph of Ugelbardeby; and many others."

About this time great differences aroſe between the Monks of Whitby, and Alan, ſon of Thorphine de Alverſtain, who now reclaimed the church of Croſſeby-Ravenſwarth, with all its appurtenances, which had formerly been given them by his father. (See page 100). This Alan commenced a proſecution againſt them, and gave them much trouble, by getting that church ſequeſtered. The Pope was applied to, who appointed Roger, then Archbiſhop of York, Judge of the matters in diſpute; before whom the Abbot Richard appearing, ſhewed him the original charter granted to the Monks of Whitby, for the ſaid church, by Torfine de Alverſtain, and this very Alan, his

his heir; as alſo the charter of Adelwalt, Biſhop of Carliſle, confirming it to them. (See page 115). On which the Archbiſhop being ſatisfied that the Monks of Whitby had a juſt claim, and were lawfully entitled thereto, iſſued out the following charter, and confirmed it to them as a perpetual alms:

10 "ROGER, by the grace of God, Archbiſhop of York, to all ſons of holy mother Church, greeting. It is a part of the charge committed to our care, to examine and make known to all faithful chriſtians, what donations have been lawfully made to holy Church within our dioceſe, and confirmed thereto by the authority of our predeceſſors, or their ſuffragans, that the ſame may alſo be ſtrengthened, and more perfectly eſtabliſhed by our authority, ſo that the churches upon which they are conferred may poſſeſs the ſame quietly and perpetually: For which reaſon we confirm to the church of Wyteby the church of Croſſeby Ravenſwart, with all its appurtenances, for a perpetual alms; ſince we find, by inſpecting the charter of our brother Adelwold, Biſhop of Karliol, of happy memory, that this church was formerly given, granted, and confirmed to the aforeſaid church of Wyteby. Witneſſes, Bartholomew the Archdeacon; Cuthbert, Prior of Giſeburn; Gregory, Prior of Bridlington; John, ſon of Letold; William, a Chaplain; Ralph of St. Gregory's; Peter de Carkaſin; and R. the Almoner."

What followed afterwards will beſt appear from the charter of Robert, Archdeacon of Carliſle, granted to the Monaſtery of Whitby, when he again put the Monks in poſſeſſion of the church of Croſſeby.

9 "ROBERT, by the grace of God, Archdeacon of Karliol, to all ſons of holy mother Church, greeting. As in one body the different members claim to themſelves different offices, nor does that diverſity cauſe any diſturbance; ſo alſo in the church of Chriſt there are miniſters of diverſe degrees and dignities, all appointed for the preſerving of peace and the impartial diſtribution of juſtice; among whom I, the Archdeacon of Karliol, wiſhing to do honour to my miniſtry, and watching for the peace and quiet of religious men, declare, that at the ſpecial command of my Lord Roger, Archbiſhop of York, I have juſtly and canonically given ſeizin to the Abbot of Wyteby, and to the Monks ſerving God there, of the church of Croſſeby-Ravenſwart, and all its appurtenances, according as it is granted and confirmed to them in the charters of the aforeſaid Lord Roger Archbiſhop of York, of Adelwold our deceaſed Biſhop, and of Thorphine ſon of Uchetred, all of which were read in a general chapter at Karliol. Witneſſes, Walter, Prior of Karliol; William the Dean; Ralph, Prieſt of Burgh; William, ſon of Utrad; Roger Brudos; William, a Clergyman; and alſo all thoſe Clergymen who were preſent and aſſiſted us in the ſaid chapter."

Alan being thus fruſtrated in his hopes, and worſted, in order to avoid the cenſures of the church, with which he was now threatened, found it neceſſary to grant the Monks of Whitby the following charter in the year 1174:

"TO

"TO Roger, by the grace of God, Archbiſhop of York, and Legate of 9
the apoſtolic See, as alſo to the Chapter of St. Peter's at York, and to all ſons of holy mother Church, Alan, the ſon of Torphine, ſends greeting. Know all of you, that I have examined, compared, aſſented to, and confirmed, all the charters which the Monks of Wyteby have for the church of Croſſeby-Ravenſwart, viz. my father's charter, and the charter of Adelwold Biſhop of Karliol; alſo the charter of Roger Archbiſhop of York, and the charter of Robert Archdeacon of Karliol; and as I very well remember the donation which my father Torphine de Alverſton freely made of the aforeſaid church of Croſſeby, to God, and the Monks of Wyteby, while I was under age, I neither will, nor ought, againſt all reaſon, to give the aforeſaid Monks any further trouble about the ſaid church. Therefore I Alan, in the month of September, next after the taking of William King of Scotland, have granted and given the ſaid church of Croſſeby to God, and St. Peter and St. Hylda, and to the Monks of Wyteby, as a pure and perpetual alms, free and clear from me and my heirs; and I have offered up the ſame, on the high altar at Wyteby, to God and St. Peter, for the uſe of the Monks there, before many witneſſes. Wherefore I deſire you all who ſhall hear this, to know for certain, that I henceforth give up the advowſon, donation, and reclamation of the often-named church of Croſſeby, and will for the time to come claim nothing in that church for myſelf or my heirs, but the prayers of the Monks, and what may ſuit a laical perſon as a pure and free alms. And that theſe things may remain the more firmly eſtabliſhed, I have, by this my charter, confirmed the before-mentioned church of Croſſeby to the ſaid church of Wyteby and the before-named Monks. Witneſſes, John, a Prieſt; Mr. Robert Hameric; Mr. Peter; and others."

"Finally, the Abbot Richard having well and faithfully governed the 141
Monaſtery of Wyteby for the ſpace of twenty ſix years, ſeven months, and fifteen days, was afflicted with ſuch continual and heavy maladies, that he perceived the time of his diſſolution was now come. Having therefore received the viaticum of the holy communion about cock-crow; and Mr. Thomas the Prior, with the other brethren, being preſent, whom this pious Father had ever cheriſhed, inſtructed, and formed in a regular courſe of holineſs, about day-break, to their inexpreſſible ſorrow, he gave up the ghoſt, and ſlept with his fathers, on the kalends of January, 1175; four days after which he was buried in the chapter-houſe erected during his reign, near the tomb of the Abbot William de Percy. He left behind him in the Monaſtery thirty eight Monks, whoſe names were as follows, viz. Thomas the Prior; Ralph I. Martin; Aſchetine; Richard I. Bartholomew; William I. Gregory; William II. Walter I. Conſtantine; Maurice; Odo; Alexander; Ralph II. Richard II. Robert; William III. Hervey; Geoffrey I. Walter II. John I. Henry; Roger; Peter; Hugh; Thomas II. Geoffrey II. Hedwick; Nicholas; Adam; John II. Ralph III. Ralph IV. Everard; Reginald; Ranulph; and Michael.

"In

"In the ſecond year after the deceaſe of the Abbot Richard, *(viz. Anno* 1176) there was choſen for Abbot of Witeby, Richard de Waterville, Prior of Kircheby, formerly a Monk in the Monaſtery of St. Nicholas at Angiers; who entered the Monaſtery of Witeby on the day of the paſſion of the Apoſtles Peter and Paul, viz. June 29th. At that time the number of Monks in the ſaid Monaſtery was thirty eight, to whom *(concludes our record)* God grant his grace, that they may reign with him for ever and ever. Amen."

17 In the year 1177, "William de Argentum granted, and by his charter confirmed, to the church of St. Peter and St. Hylda at Wyteby, thoſe two oxgangs of land in Upplium, formerly given to the ſaid church by his father, with all their appurtenances, for a quiet and perpetual alms, free from every exaction or temporal ſervice due to him or his heirs. Moreover, he gave, granted, and confirmed to the ſaid church, all that encroachment, or new incloſure, which a homager of the church of Wyteby called Gamells held of him, according as it was ſet out, boundered, and divided by the church land, and other lands that join thereto on all ſides, in the year when King Henry, ſon of the moſt noble King Henry, was crowned, *(anno* 1170). Witneſſes, Ralph, a Sacriſt; Albert, a Sacriſt; John, a Sacriſt; Adam under Fahais; and others."

20 In the year 1178, "Stephen Hay gave, and by his charter confirmed, to God, and the church of St. Andrew at Engelby, half an acre of land at Engelby, viz. that which lay outermoſt on the north ſide of his two oxgangs in Aiſtangarthes, as a free, pure, and perpetual alms, for the ſalvation of his own ſoul, and the ſouls of his father and mother and anceſtors: To be held of him and his heirs, free and clear from every ſecular ſervice and exaction; And he and his heirs warranted the ſaid alms to the aforeſaid church for ever. Witneſſes, Rainer, Prieſt of Engelby; Walter, a Chaplain; Henry, a Deacon; Arnald, a Deacon; William Lane; and others."

55 In the year 1180, "Durand, ſon of Geoffrey of Butherwic, granted, and by his charter confirmed, the donation of Durand his grandfather, and the grant of Geoffrey his father, viz. one carucate of land in Butherwic, with a mill and two oxgangs of land at Scameſtun, as free and clear from every ſecular ſervice, and more particularly royal ſervice, as they granted and gave the ſame to the church of St. Peter and St. Hylda at Wyteby, and to the fraternity ſerving God there, for their own ſouls, and theſe of their heirs, as a free and perpetual alms, dangelht only excepted: Before theſe witneſſes, John, a Chaplain; Aſcheton, of * Thorney; Hugh Brun; William de Watervill; Peter de † Braidlay; and others."

In the year 1182, the Abbot Richard and Convent of Whitby ſold their manors of Ugelbardeby and Everlay to Sir William de Everlay, of which we have already given an account at page 129 of this hiſtory.

66 IN the year 1185 the following record was made, viz. "To all ſons of holy mother Church, Richard, by the grace of God, Abbot of Wyteby, and the Convent there, greeting. Know all of you who ſee or hear theſe letters, that I,

* Now called Thorney Brow. † Now called Ragby.

I, with the conſent of my whole chapter, have given and granted to Wyteby, for ever, the privilege of being a free borough town; and to the burgeſſes living there the liberty of burgage, with free laws and free cuſtoms; as alſo an exemption in Wyteby, and out of Wyteby, in and from every thing pertaining to the church of St. Peter, and theſe who ſerve God there; and likewiſe common right of paſturage; and alſo four ways to come in and go out of the borough, free and clear from all taxes or tolls; on paying for every toft yearly five pence for all ſervices, viz. one half thereof every Whitſuntide, and the other half every Martinmas. Now when any inhabitant of Wyteby intends to ſell his land, he ſhall firſt ſhew that land to the Abbot, and give him the offer thereof, if he chuſes to buy it, at ſuch a reaſonable price as he would expect from any other purchaſer: But if the Abbot refuſe to buy it, the ſeller ſhall nevertheleſs uſe his advice, and have his conſent; alſo the purchaſer thereof ſhall pay four pence cuſtom for having ſeizin given him, and one penny to the burgeſſes for beverage. Moreover, if any controverſy ariſe among the burgeſſes in the ſaid town, he that is aggrieved ſhall three times wait upon the aggreſſor at his own houſe, and require juſtice to be done him; and if, after requeſting him a third time, he refuſe to make ſatisfaction, then may the injured party at laſt complain to the town's juſtice in a reaſonable way for redreſs of his grievances. Now there are three terms in the year appointed for determining all ſuch cauſes; the firſt, after the Epiphany; the ſecond, after Eaſter; and the third, after the feaſt of St. Hylda. But if any controverſy be put off, ſo as not to be decided in one of theſe three terms, then it ſhall be determined without further delay at the next ſucceeding term. And our deſire is, that this charter may be properly ratified, ſo as to be eſteemed binding to all ſuch as it may concern, after the next enſuing feaſt of St. James the Apoſtle."

As for the four high-roads, mentioned in the aforegoing charter, leading out of the town of Whitby in the reign of the Abbot Richard II. there is no doubt but two of them lay on each ſide the river Eſke, viz. on the eaſt ſide, one over Spital Bridge, towards Sneton and Stainſacre, and the other up Green-Lane, towards Hawkeſgarth and Fyling-Dales; and on the weſt ſide, one towards Flowergate Croſs, and the other down Scate-Lane, up Back-Dale, and along the preſent turnpike-road. As for Baxtergate, no ſuch ſtreet then exiſted, it was all overflowed by the ſea every day at the time of high water, and made a part of *the Bell:* Nor were the church ſtairs as yet erected; conſequently there could be no public road in that place.

The privileges contained in this charter were afterwards found to be ſo much in favour of the inhabitants of Whitby, that the Monks greatly deſired to have them cancelled and ſet aſide. Long they deliberated what method was beſt to take for them to have this done; and at laſt, in the reign of the Abbot Peter, they pretended that the record was neither properly wrote, ſealed, or executed; and above all, that no witneſſes had atteſted it, or ſubſcribed their hands to the ſame; on which they petitioned King John, that the burgeſſes might be reſtrained from making uſe of theſe liberties which had

been granted them in it, until the charter was inſpected, and it was decided in his court whether the Abbot and Convent of Whitby had really a power to make any ſuch grants. In the mean-time they made the king a preſent of 100 marks, for refuſing to confirm the charter, with which he was ſo well pleaſed, that he declared every thing contained therein to be null and void, becauſe not properly witneſſed; and the inhabitants of Whitby were never more permitted to uſe and enjoy thoſe privileges, which, if they had been continued, would probably now have entitled us to ſend members to parliament as well as the other borough towns in Yorkſhire.

In the days of this Abbot Richard, and Peter his ſucceſſor, lived that famous and renowned out-law Robin Hood, who took from the rich that he might have wherewithal to give to the poor. He many years kept under him a conſiderable number of men, who lived by rapine and plunder. He reſided generally in Nottinghamſhire, or the ſouthern parts of Yorkſhire: But when his robberies became ſo numerous, and the outcries againſt him ſo loud, as almoſt to alarm the whole nation, parties of ſoldiers were ſent down from London to apprehend him: And then it was, that, fearing for his ſafety, he found it neceſſary to deſert his uſual haunts, and, retreating northward, to croſs the moors that ſurrounded Whitby, where, gaining the ſea-coaſt, he always had in readineſs near at hand ſome ſmall fiſhing veſſels, to which he could have refuge, if he found himſelf purſued; for in theſe, putting off to ſea, he looked upon himſelf as quite ſecure, and held the whole power of the Engliſh nation at defiance. The chief place of his reſort at theſe times, where his boats were generally laid up, was about ſix miles from Whitby, to which he communicated his name, and which is ſtill called Robin Hood's Bay. There he frequently went a fiſhing in the ſummer ſeaſon, even when no enemy approached to annoy him; and not far from that place he had butts or marks ſet up, where he uſed to exerciſe his men in ſhooting with the long-bow. It was always believed that theſe butts had been erected by him for that very purpoſe, till the year 1771, when one of them being dug into, human bones were found therein, and it appeared they had been burying-places for the dead uſed by our pagan anceſtors, either the Danes, the Saxons, or the ancient Britons, all of whom, it is certain, raiſed ſuch kind of monuments over the bodies of their deceaſed friends and relations; which practice they borrowed from the Celts and Gauls; and theſe probably had it from the Jews, the Egyptians, and other eaſtern nations, who uſed it ſoon after Noah's flood. However that be, there is no doubt but Robin made uſe of thoſe houes or butts when he was diſpoſed to exerciſe his men, and wanted to train them up in hitting a mark.

Tradition further informs us, that, in one of theſe peregrinations, he, attended by his truſty mate Little John, went to dine with the Abbot Richard, who, having heard them often famed for their great dexterity in ſhooting with the long-bow, begged them after dinner to ſhew him a ſpecimen thereof; when, to oblige the Abbot, they went up to the top of the Abbey, whence each of them ſhot an arrow, which fell not far from Whitby-Laths, but on the contrary ſide of the lane; and in memorial thereof a pillar was ſet up by

by the Abbot in the place where each of the arrows was found, which are yet ſtanding in theſe our days; that field where the pillar for Robin Hood's arrow ſtands being ſtill called Robin Hood's Field, and the other where the pillar for Little John's arrow is placed, ſtill preſerving the name of John's Field. Their diſtance from Whitby-Abbey is more than a meaſured mile, which ſeems very far for the flight of an arrow, and is a circumſtance that will ſtagger the faith of many; but as to the credibility of the ſtory every reader may judge thereof as he thinks proper; only I muſt here beg leave to obſerve, that theſe very pillars are mentioned, and the fields called by the aforeſaid names, in the old deeds for that ground, now in the poſſeſſion of Mr. Thomas Watſon.

Some months before the death of King Henry II. in the year 1189, died alſo Richard de Waterville, Abbot of Whitby; in whoſe room another Abbot was ſoon after choſen, called Peter, of whoſe birth, parentage, or ſtation in the church, during the former part of his life, we know nothing, though it is probable he might be that Peter mentioned in the liſt of the Monks at the deceaſe of the Abbot Richard the firſt. However that be, his name no where elſe occurs in our records before the year 1190, when he obtained the following royal charter from King Richard I.

"RICHARD, by the grace of God, King of England, Duke of Normandy and Aquitain, and Earl of Anjou, to his Archbiſhops, Biſhops, Abbots, Earls, Barons, Juſtices, Sheriffs, Miniſters, Rulers, and all his faithful ſubjects, greeting. Know ye, that we have granted, and by our preſent charter confirmed, to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Monks ſerving God there, and to all ſuch as belong to the ſaid church, all the liberties and privileges which the church of St. John at Beverley, and the church of St. Wilfrid at Ripun, have over their lands and homagers. Alſo we grant and confirm to the aforeſaid church, burgage in the ſaid town of Witeby, and a fair to be held on the feaſt of St. Hylda, with ſoc, and ſac, and tol, and them, and infrangentheof, and our firm peace to all ſuch as reſort to the ſaid fair, with all their effects, both in coming and going. Alſo we grant and confirm to the ſaid church, the ſea-port, with the ſea-weed, in whatever part of their territories it be wrecked or caſt on the ſhore, with tol, and them, and all the liberties and cuſtoms belonging to a ſea-port. Moreover, we grant and confirm to the aforeſaid church of Wyteby, the church of All Saints in Fiſchergate at York, with its appurtenances, and all the lands and homagers in the ſaid city belonging to the church of St. Peter and St. Hylda at Wyteby, with ſoch, and ſach, and tol, and them, and infangentheof, and with all the liberties and privileges which the lands and homagers of St. Peter's and St. Cuthbert's in that city enjoy. Alſo we grant and confirm to the aforeſaid church of Wyteby, and to the Abbot and Monks in that place, the poſſeſſion and enjoyment of all the lands, foreſts, woods, and paſtures in their lordſhip, or belonging to their Abbey, ſo freely, quietly, fully, and honourably, that none of our ſubjects may violently enter into the ſame, or hinder them from purveying and getting the produce thereof. Alſo 48 *and* 49

we freely permit them to appoint foreſters and ſervants for guarding their woods and paſtures; and forbid all manner of perſons from claiming any right in the woods or paſtures within the limits and bounders of the aforeſaid Church, Abbot, and Monks, without leave firſt had from them: And we proclaim them free from waſtes, rubbiſh land, and foreſt-viewers. Alſo we grant and confirm to the aforeſaid church, all the donations, liberties, and immunities which King William, our great-great-grandfather, and King William his ſon, and King Henry our great-grandfather, and the glorious King Henry our father, have given, or by their charters confirmed, to the ſaid church: And particularly we grant and confirm to them, as a perpetual alms, all the donations of William de Percy, founder of the ſaid Abbey, and of Alan de Percy his ſon, and of William de Percy, ſon of the ſaid Alan, and of their other patrons whoſe charters they have; as alſo two carucates of land in Hakaneſſe, and four in Nordfeld, and two in Briniſton, with their appurtenances, without paying any land-tax for the ſame *(ſine omni Geldo)*. Furthermore, we grant and confirm to them all the lands, foreſts, woods, and paſtures which William de Percy, and Alan de Percy his ſon, founders of the ſaid Abbey, gave thereto as a perpetual alms, according to theſe marks and bounders mentioned in the charter of Alan de Percy, viz. all the ſea-coaſt from the port of Wyteby to Blawyc; and thence to Grenedic; and along Grenedich to Swyneſtichage, and to Thornelyay; and all Thornelay, and Kirkelac, and to Coppekeldebroc; and along the brow of the hill beyond Theoveſdiches to Staincroſſegate, which is near the town of Suffeld; and to Gretaheued, and to Elſicroft; and the moſs, to the middle of the moſs, and thence to the Derewent; and half the Derewent, all along to the place where the Derewent has its ſource; and to Lillacros, and to Scograineſhoues, and to Sylehou, and to Lithebech; and to the place where Lithebech falls into the river Eſch; and half the Eſch all along to Hilda's Beck; and thence to Hilda's Well, and to the Horſecroft, and to Thordiſa, and to the ſea; and thence along the ſea-coaſt to Wyteby. Now we will, and ſtrictly charge you, to let them poſſeſs and enjoy all their churches, tithes, and poſſeſſions, well and peaceably, freely and honourably, whether in woods or plains, in meadows or paſtures, in waters or mills, in marſhes or parks, in fiſheries or ſluices and ponds, within the borough or without, in fairs or markets, in the city or out of it, in foreſts or bounders, in cowhouſes or hermitages, in ways or paths, in all places and things, with every liberty and privilege wherewith they freely and quietly enjoyed them in the time of the aforeſaid Kings our anceſtors. Witneſſes, R. Biſhop of Angiers; Earl of Mellet; Geoffrey Loſtur; Roger de Pratell, our Cup-bearer; Stephen de Turneham; Ralph, ſon of Godefrid, our Chamberlain. Dated by the hand of John de Alençon, Archdeacon of Liſieux, our Vice Chancellor, at Chalon, on the 23d Day of April, in the firſt year of our reign."

Notwithſtanding this charter, the Abbot Peter was by no means able to defend himſelf againſt Hugh, the Prior of Bridlington, with regard to the tithe of fiſh, which we have already ſhewn (in page 77) was adjudged to be paid

paid to Whitby Abbey, by ſuch of the fiſhermen of Fively as were forced to take refuge in the port of Whitby. Hugh complained of this to the court of Rome as an act of injuſtice done him; whereupon Pope Celeſtine III. in the year 1191, iſſued out his mandate, or bull, directed to Ernald, Abbot of Rieval; William, Prior of Kirkham; and Ivo, Prior of Wartre, commiſſioning them to enquire into the affair, and to redreſs all grievances between the two parties. The determination of theſe commiſſioners was very unfavourable for Peter; they ordered him never more to moleſt the fiſhermen of Fively when they came into Whitby harbour, and obliged him to quit-claim all right he had to any tithe from them. Nor does it appear that Prior Hugh was laid under any ſimilar reſtriction when the fiſhermen of Whitby were obliged to ſeek for refuge at Bridlington.

In the year 1192, "Bernard de Baliol, for the love of God, and for the ſalvation of the ſouls of his father and mother, and brother Wydo, and ſiſter Hawis, and all his anceſtors, granted, and by charter confirmed, to the church of St. Peter and St. Hylda at Wyteby, and to the Monks ſerving God there, the church of Engelby, and the church of Kirkeby, with all their appurtenances; and a mill, with her moulter, in Engelby, for a free and quiet alms, as Adam the ſon of Vital gave them to the ſaid church. Witneſſes, Richard de Wodeham, a Clergyman; Gerrard, a Deacon; Walter Pec; Goceline de Helmcurt; Baldewine de Bars; and others." 14 *and* 118

In the year 1195, "William de Eſtutevill, influenced by divine love, for the ſalvation of his own ſoul, and thoſe of his father and mother, and his heirs, granted, and by his charter confirmed, to God, and St. Peter and St. Hylda of Wyteby, and to the Monks performing divine ſervice there, the church of Atun in Cliſland, with all its appurtenances, for the proper uſes of the ſaid Monks, as a perpetual alms. Witneſſes, C. Archdeacon of Clid'; Peter, Archdeacon of Karliol; Reginald Arundel; and others." 17

This Reginald Arundel was the ſon of Oſbert Arundel, and grandſon of John Arundel. He had a daughter called Johanna, who was married to Hugh of the High Town, or the Rigg. Now, in the year 1198, this "Hugh of the High Town, and Johanna his wife, for themſelves, their heirs and ſucceſſors, quit-claimed to * Hu. the Abbot and Convent of Wyteby, as a perpetual alms, for their own ſouls, and the ſouls of John Arundel and their other anceſtors, all right and claim which they had, or expected to have, to † Halmerige. Witneſſes, Robert, *(Archdeacon)* of Karliol; Geoffrey de Geddins; Roger Arrundel; Ralph Ribald; and others." 58

About twelve years after this, the aforeſaid "Johanna, daughter of Reginald Arundel, in the time of her widowhood, granted, gave, and by her charter confirmed, to the church of St. Peter and St. Hylda at Wyteby, and to the Monks ſerving God there, as a pure and perpetual alms, for her own ſoul, and theſe of her anceſtors, that land which Ralph Surenſſis formerly poſſeſſed 21

* The Abbot's name is here called *Hu.* in our records, yet that ſeems to be only a miſtake in the tranſcriber, for *Peter* moſt aſſuredly was Abbot at this time.

† Halmeriggs or Shalmeriggs lie on the ſouth ſide of Cock-Mill.

ſeſſed in the town of Riſewarp, with a toft and a croft pertaining thereto, and all other liberties and eaſements belonging to the ſame, in the town, or out of it, without any reſtriction; and moreover an acre of land in the ſaid town, which one Orm formerly poſſeſſed, being that next the aforeſaid toft towards the eaſt; to have and to hold the ſame, free and clear from every ſervice, for ever. Now the ſaid Johanna warranted and defended the ſaid lands, with their appurtenances, to the aforeſaid church and Monks, againſt all men, free from all taxes and ſecular exactions. Witneſſes, Roger de * Nevill; Richard de Percy of Duneſly; Reginald de Roſel; Geoffrey de Gedding; and others."

In or about the year 1199 died Agnes de Percy, daughter of William de Percy, and was interred in Whitby Abbey, having the following epitaph on her monument, written by the Monks of that age in Latin verſe, according to the doggrel ſtyle which then prevailed among them.

Agnes, Agnetis feſtâ timulatur, et iſtis
Idem ſexus, idem nomen, et vita, dies.

Engliſhed.

Agnes entomb'd on Agnes day; the name,
The ſex, the life, the day, in each the ſame.

70 In the year 1200, "it was thus agreed between Peter the Abbot of Wyteby, and the Convent there, and Ciprian the Prior, and Convent of Sixchle, concerning the tithes in the lordſhip of Luefordh, which were known to belong to the Convent of Wyteby, and about which there had been a law-ſuit before judge-delegates appointed by the Pope of Rome, viz. that the ſaid Abbot and Convent of Wyteby granted, to the ſaid Prior and Convent of Sixchle, the aforeſaid tithes without any reſtriction, to be held of them for ever, on paying a mark of ſilver yearly for the ſame on the feaſt of St. Barnabas the apoſtle. And that this agreement might be properly ratified and confirmed for ever, they mutually ſet thereto their chapter ſeals; the chapter ſeal of Sixchele being on that copy of the agreement remaining with the Abbot and Convent of Wyteby, and the chapter ſeal of Wyteby on the copy remaining with the Prior and Convent of Sixchle. Witneſſes, Mr. Alexander de Baiocis *(Bayus)*; Mr. John, ſon of Othun; Mr. Walter, ſon of Turchill; Mr. Auguſtine; and others."

70 In the year 1202, "Peter, by the grace of God, Abbot of Wyteby, with the advice and conſent of the whole chapter there, granted, gave, and by charter confirmed, to William the brother of Reginald of Suthfeld, and his heirs, as a freehold and inheritance, all that land in the town of † Dales, which was William's the ſon of Tholo; as alſo all that land between Haradale

* Nova-Villa, Neuve-Ville, Nevill, and Newton, I apprehend are all of them one and the ſame name. So alſo Boys, Holt, and Wood are ſynonimous; as likewiſe Baker, Baxter, and Bullenger, with many other ſurnames now uſed among us here in England. But notwithſtanding this it is probable they are all different families, like the Hobſons, Robſons, Robinſons, and Robertſons.

† From this little town or village of Dales the ſurname of Dale ſeems to have had its original.

dale Beck and the Cringliwert under Haradaleheued, as boundered by Langdale Beck, from its ſource to the place where it falls into Haradale Beck; and likewiſe the land of Ravenecumbe, to the weſtern valley of Whitſpotdale, between Brady-Moor and Whitſpotdalebec; to be held freely and quietly of them the ſaid Abbot and Convent, on paying yearly for all ſervice half a mark of ſilver to the maſter-builder in their church, viz. half thereof every Whitſuntide, and the other half every Martinmas. Now the aforeſaid lands, with common right of paſturage, and other eaſements belonging to that town, they granted to the ſaid William; yet on ſuch conditions, that he neither was to give it away, lett it, ſell it, or mortgage it to any but them and the church of Wyteby. Witneſſes, Pauline, a Chaplain; Adam, a Chaplain; Roger of Houcheſgar; Reginald; Adam and William his ſons."

It was about this time that Joan, the daughter of William Foſſard, and wife of Robert de Thurnam, gave two carucates of land in the foreſt of Echetun, or Egton, about ſix miles weſt of Whitby, to the Abbot and Convent of Grandemont in Normandy, who thereupon ſent over Monks from France to erect a cell there, where they ſettled, and called it, after their own Abbey in Normandy, Grandemont, Groſmont, or Gromont.

In the year 1203, "William ſon of Durand of Keithun, or Cayton, took 19
to farm of the church of Wyteby three oxgangs of land, with their appurtenances, which his uncle Robert, with his conſent, formerly ſold to the ſaid church, whereof he was a witneſs in his father's charter; and alſo one oxgang of land in the ſame town, which, as a pure and perpetual alms, his father gave to that church, with the land of Stikewalbut. *(See page* 106*)*. Theſe premiſes he was to hold of the Monks of Wyteby for the term of his natural life, on paying annually for the ſame ten ſhillings at two terms, viz. five ſhillings every Whitſuntide, and five ſhillings more every Martinmas: And beſides theſe ten ſhillings which he was wholly to pay, the thirty two pence he had been uſed to receive were to remain with him: But after his death all the before-mentioned land was to revert to the aforeſaid church, free and clear from any demand to be made by him or his heirs. Witneſſes, Roger of Okeſgard; Richard of Dunſley; Walter the Chaplain; and others."

"After the death of this William of Cayton, through a particular and 136
ſpiritual friendſhip between the Monaſteries of Whitby and Riewalls, the Abbot and Convent of Whitby granted to the Abbot and Convent of Riewalls the before-mentioned lands in the town of Cayton, to be held of them, as a freehold and perpetual farm, for 13 s. 10 d. yearly rent, and the Abbot of Riewalls for the time being was obliged to pay homage for the ſame to the Abbot of Whitby. Now for theſe very lands the brethren of the Monaſtery of Riewalls were afterwards put to trouble by William Nesfield, who claimed them; and the Monaſtery of Riewalls being vacant by the death of its Abbot, an inquiſition was by his means taken of theſe lands, when the Monks of Riewalls were turned out of poſſeſſion, and the ſaid lands were ſequeſtered into the hands of our Lord the King, as appears by the rolls kept in the exchequer of our ſaid Lord the King. Afterwards, upon ſearch, it was there found enrolled, that theſe lands and tenements were held of the Abbot of Whitby for the

the yearly ſervice of 13 s. 10 d. from time immemorial, and were no part of the freehold of the Earl of Albimarley. Whereupon the King iſſued out a writ to his Barons, ordering the Abbot of Riewalls to account to the Abbot of Whitby for the rents of the ſaid lands and tenements, and commanding poſſeſſion to be again given, on the ſame footing as before Nesfield's proſecution; and this record is ſtill preſerved among other rolls in the exchequer of our ſaid Lord the King."

In the year 1204, King John was pleaſed to grant the following royal charter to the Abbot Peter and Convent of Whitby:

50 "JOHN, by the grace of God, King of England, Lord of Ireland, Duke of Normandy and Aquitain, and Earl of Anjou, to his Archbiſhops, Biſhops, Abbots, Earls, Barons, Juſtices, Sheriffs, Foreſters, Rulers, Servants, and all his Bailiffs and faithful ſubjects, greeting. Know ye, that we have given, granted, and by this our preſent charter confirmed, to God, and the church of St. Peter and St. Hylda at Wyteby, and to Peter the Abbot, and his ſucceſſors, and to the Monks ſerving God there, for ever, all the bucks and does and wild boars in their foreſts, ſituate according to the bounders preſcribed thereto by the charter of King Henry our great-grandfather, and the charter of King Henry our father, which the ſaid King Henry our great-grandfather foreſted for them. Wherefore we will and ſtrictly charge you, to let the Abbot and Monks of Wyteby perpetually poſſeſs all their woods and paſtures, ſo freely, fully, quietly, and honourably, that none of our ſubjects may violently enter into the ſame, or meddle therewith. Alſo we grant and confirm to the aforeſaid church of St. Peter and St. Hylda at Wyteby, and to the Monks ſerving God there, all the lands, foreſts, and paſtures, which William de Percy, and Alan his ſon, founders of the ſaid Abbey, gave them for a perpetual alms, according to thoſe marks and bounders mentioned in the charter of Alan de Percy, viz. all the ſea-coaſt from the port of Wyteby to Blawich, and thence to Grenedich; and along Grenedich to Swineſtiſchage, and thence to Thornelay; and all Thornelay, and to Kirkalac, and to Copkeldebroc; and thence along the brow of the hill to the further ſide of Theweſdiches, and to Staincroſſegate, which is near the town of Suthfild; and to Gretheſhoueth, and to Helſicroft; and the moſs, to the middle of the moſs; and thence to the Derewent, and half the Derewent to that place where the Derewent has its ſource; and to Lillacros, and to Scogranehowis, and to Silehou, and to Lithebech, and to the place where Lithebech falls into the river Eſch; and half the Eſch all along to the place where Brocholebech falls into the river Eſch; and along Brocholebech to Swarthouethcros, and to the Horſecroft, and to Thordiſa, and to the ſea, and along the ſea-coaſt to Wyteby. Wherefore we will and ſtrictly charge you, to let them poſſeſs and enjoy whatever they have within the aforeſaid bounders, wholly and fully, freely and quietly, clear in every thing belonging to a foreſt or to foreſters, with all the wild beaſts and every kind of veniſon contained therein, ſo that none of our ſubjects may violently enter into the ſame, or hinder them from purveying and getting the produce thereof. And we forbid, under the penalty

penalty of being deemed treſpaſſers, all manner of perſons from hunting within the aforeſaid limits without their ſpecial licence firſt had, or from preſuming to contradict what is contained in this our charter. Witneſſes, Geoffrey, ſon of Peter Earl of Exeter; R. Earl of Layceſter; William de Bruer; Hugh de Nevill; Symon de Patiſill; Hugh de Cacubus. Dated by the hand of Symon, Governor of Beverlac, and Archdeacon of Wells, at York, on the firſt day of March, in the 5th year of our reign."—"And, by this our preſent charter, we grant and confirm to the Abbot and Convent of Whiteby, the hermitage in Godeland, with all its appurtenances, for ever, which Henry, King of England, our great-grandfather of happy memory, gave to Oſmund the Prieſt and the fraternity in Godeland, who, by the will and conſent of the ſaid King, ſurrendered themſelves and that hermitage to the Abbot and Convent of Whiteby; and the ſaid King by his charter confirmed them to the ſaid Abbot and Convent. Wherefore we will, and ſtrictly charge you to let the aforeſaid Abbot and Monks of Whiteby poſſeſs and enjoy the ſaid hermitage in Godeland, with all its appurtenances, for a pure and perpetual alms, ſo freely, quietly, and entirely, that none of our ſubjects may meddle with the ſaid fraternity in Godeland, nor with their hermitage, nor its appurtenances, except the Abbot of Whiteby, or thoſe whom he ſhall order, as is expreſſed in the aforeſaid charter of King Henry, which they have. Witneſſes, William Earl of Sareſbury; William Earl of the Iſles; Robert de Leſitur; Matthew his ſon and heir; Hugh de Nevill; Peter de Stokes; Geoffrey de Nevill. Dated by the hand of Symon, Archdeacon of Wells, at Freymantell, on the 26th day of October, in the ſeventh year of our reign."

In the year 1205, Geoffrey, Archbiſhop of York, granted the following charter to Peter the Abbot and Convent of Whitby:

"GEOFFREY, by the grace of God, Archbiſhop of York, and Primate of England, to all faithful chriſtians who ſhall ſee or hear 67
theſe letters, eternal health in the Lord. Leſt, by the change of times, or the devices of wicked men, the benefactions that have been granted for eccleſiaſtical uſes ſhould be in any danger of being weakened or ſet aſide, we would have it known to all of you, that, influenced by divine piety, we hereby confirm to God, and the church of bleſſed Peter and St. Hilda at Wyteby, and to the Monks performing divine ſervice there, the church of Engleby in Cliveland, with all its appurtenances, to be poſſeſſed by them for their proper uſes, for ever, according to the tenor of the charter which they have for the ſame from Roger our predeceſſor, of happy memory, heretofore Archbiſhop of York. And that our confirmation thereof may remain firm and ſtable, we have ſtrengthened the ſame by this preſent writing, and by the putting thereto our ſeal. Witneſſes, Bernard, Biſhop of Carleol; Columbus, Subdeacon to our Lord the Pope; Roger of Richemont; Robert of Etton, *(Ayton)*; Thomas de Vitry; Peter Albinus; Robert of Tanton; and others."

64 In the year 1206, "Peter the Abbot and Convent of Wyteby made an agreement with Guarine the Abbot and Convent of Rievalle, as follows, viz. that the aforeſaid Abbot Peter, and Convent of Wyteby, through a motive of charity and brotherly love, granted, and by the charter of their church confirmed, to the aforeſaid Abbot Guarine and Convent of Rievalle, that half toft which William the roper, (*Cordarius*) the ſon of Leſſing, held of the church of Witeby in Fiſchergate at York; to be held of the ſaid church of Wyteby for ever, on paying fourteen pence yearly for the ſame to the Abbot of Wyteby, or his Bailiff in Fiſchergate, for all ſervices, rents, and exactions, at two terms in the year, namely, ſeven pence every Whitſuntide, and ſeven pence more every Martinmas; and alſo two pence yearly for *Huſgable* to the King. And this writing was divided into two parts, the ſeal of the Abbot and Convent of Wyteby being hung to that part remaining with the Abbot and Convent of Rievalle, and the ſeal of the Abbot and Convent of Rievalle being hung to the part remaining with the Abbot and Convent of Wyteby. Witneſſes, Elias, Chaplain of Edeſton; Mr. Auguſtine; Geoffrey Cardun; and others."

22 *and* 116 In the year 1208, "Richard, the ſon of Angnote, ſaw William, the ſon of Angnote, demiſe and give to the church of St. Hilda at Wyteby, and to the Monks ſerving God there, for a pure and perpetual alms, as much meadow ground in Atun field as makes one oxgang of land, for his own ſoul, and the ſoul of his wife, and the ſouls of their anceſtors. And this meadow ground his aforeſaid wife Beatrix offered up with her own hand upon the altar of the church of Wyteby, for a perpetual alms, before the ſaid Richard, and many others of the Clergy and Laity there aſſembled, on the day when the body of his aforeſaid brother was buried at Wyteby. Alſo the ſaid Richard, ſon of Angnote, for his own ſoul, confirmed by charter, and granted to God and the Monaſtery of Wyteby, this alms given them by his brother William, and Beatrix, Widow of the ſaid William. Witneſſes, William de Kertun, and Robert his brother; Roger of Houkeſgar, and Adam his nephew; William the Plaiſterer; Thomas, a Prieſt; Adam, a Prieſt; Walter, a Clergyman; Geoffrey de * Boſco; Robert Cook; Andrew the Shieldmaker; Trigue; Alan the Plaiſterer; Hugh, a Clergyman; William of the infirmary; Stephen the Shieldmaker; and many others."

19 In the year 1209, "Ralph de Laceles gave, and by his charter quitclaimed, to God, and the Lord Abbot Peter and Convent of Wyteby, for the ſalvation of his own ſoul, and thoſe of his Anceſtors and heirs, all that tenement, with its appurtenances, privileges, and eaſements, ſituate or lying within and without the town of Liverton, which he held of the ſaid Abbot and Convent; as alſo the homage and ſervice of Stephen de Roſel; with all the right and claim which his father, and he, and his heirs, had, or might have, in the aforeſaid tenement, by a charter from the ſaid Abbot Peter and Convent of Wyteby long ſince granted to them for the ſame, (*ſee page* 133). And in teſtimony hereof he ſet his ſeal to this record, in the

* This Boſco, or Buſco, was ſo called from its ſituation in a foreſt or wood. It ſtill retains its name, and ſtands about four miles weſtward of Thordiſa or Eaſt-Row.

the preſence of Gald' Macum; Walter de Camera; William de * Kirton; Reginald de Roſel; Robert de Buterwic; Alan, ſon of Brien; William de Laceles; Peter of Liverton; and others."

In the year 1210, "Hugh de Baliol granted, and by his charter con- 14
firmed, to Peter the Abbot and Convent of Wyteby, and their ſucceſſors, for the ſouls of all his anceſtors, the churches of Kirkeby and Engelby, with all their appurtenances and privileges, to be poſſeſſed by them, for ever, as a pure and perpetual alms, as freely and quietly as any churches could be poſſeſſed by religious men when conferred upon them by a layman: Alſo Engelby mill, to be held and poſſeſſed by them, with all its liberties and appurtenances, in the ſame manner as Adam of Engelby by his charter firſt gave and confirmed that mill to the ſaid Monks. Witneſſes, Mr. Laurence, Prior of Giſeburn; Hugh of Hoton; Nichol of Atun; and Hugh de Bailliol."

In the year 1211, "An agreement was made between Peter the Abbot 118
of Whitby and the Convent there, and Hugh de Baillioll, in the following manner, viz. that the ſaid Abbot and Convent of Whiteby demiſed to the ſaid Hugh de Bailloll their mill at Ingelby, to be held by him as a farm during the term of his natural life, for the yearly rent of fifteen ſhillings of ſilver, to be paid at two terms, one half thereof every Whitſuntide, and the other half thereof every Martinmas: Yet ſo as that the ſaid mill ſhould revert quietly to the aforeſaid Abbot and Convent of Whiteby on the death of the ſaid Hugh, without any claim or demand to be made by his heirs. Witneſſes, Mr. Laurence, Prior of Giſburne; Ralph of Brumhus, Peter of Gyſburne, and John of Alverſtan, his Canons; Bernard de Arnies his Seneſcall; Hugh of Hoton, and Walter his brother; Hugh de Bailloll, a Clergyman; Nichol of Aton; William de Mulbray; Richard of Hoton; and many others."

In the year 1211 died Peter Abbot of Whitby; and the kingdom of England being then under an interdict laid thereon by Pope Innocent III. on account of ſome diſputes he had with King John about appointing Stephen Langton to be Archbiſhop of Canterbury, that King ſeized on our Abbey revenues, and ſequeſtered all its poſſeſſions into his own hands, not ſuffering the chapter to proceed to the election of a new Abbot. Furthermore, Odo, Parſon of Croſſeby-Ravenſwarth, being old, and in ſo bad a ſtate of health, that no hopes were left of his recovery, the Monks of Whitby, apprehenſive that after his death their right of nominating a ſucceſſor to that church would be diſturbed by the enraged King, applied to Bernard, Biſhop of Carliſle, who, in the year 1212, granted them the following charter:

"TO all ſons of holy mother Church, Bernard, by the grace of God, 10
Biſhop of Karliol, greeting. Know all of you, that we, through a motive of divine love, have given, granted, and confirmed for their proper

 uſes,

* From the above-mentioned Kertun, or Kirton, that ſurname ſeems to have derived its original: And it is very probable that Stephen and Reginald de Roſel may have been ſome of the firſt forefathers of the very ancient and numerous family of Ruſſell.

uſes, to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Monks performing divine ſervice there, the church of Croſſeby-Ravenſwarth, with all its appurtenances, for a pure and perpetual alms; ſo that after the death, or ceſſion, or change in ſtate, of Odo the Parſon, it ſhall and may be lawful for them to enter the ſaid church, and take poſſeſſion of its keys, without requeſting or aſking the leave of any perſon whatſoever, and to convert all the revenues of that church to their proper uſes, reſerving only one hundred ſhillings as a maintenance to the Vicar who performs the duty there; which Vicar ſhall be preſented to us and our ſucceſſors by the Abbot and Monks of Wyteby, and when inducted into the living ſhall be anſwerable to us and our ſucceſſors for epiſcopal uſages. Witneſſes, Symon, Dean of York; Hamund, Treaſurer of York; Richard, Abbot of Seleby; Robert, Abbot of York; Laurence, Prior of Giſeburn; Mr. R. of the hoſpital at York; Mr. P. Albiny; Oſbert, Dean of Cleveland; Alexander, Dean of Ridale; Symon, maſter of the Nuns at Wykham."

Odo did not long ſurvive the granting this charter; nay it ſeems to me highly probable that he had actually paid the debt of nature before the Monks of Whitby applied for it: But whatever expectations they might form to themſelves therefrom, both the Biſhop and Monks were diſappointed in their hopes, as will beſt appear from the following charter::

"TO all ſons of holy mother Church, Bernard, by the grace of God, Biſhop of Karliol, greeting. Know all of you, that when Odo the Clergyman, who long poſſeſſed the church of Croſſeby-Ravenſwart, yielded to fate, our Lord the King having Wyteby-Abbey in his cuſtody, to which the ſaid church is known to belong, preſented Mr. Ernald of Auclind to us, commanding that we ſhould inveſt that Gentleman with the ſaid church, though the Monks of Wyteby, on hearing that Odo the Prieſt was dead, perſonally appeared before us with their charters and inſtruments, alledging that the ſaid church had been granted to them by undoubted patrons, as a perpetual alms, and confirmed to them by our predeceſſor Adelwalt of happy memory, and further confirmed to them by the venerable Roger, formerly Archbiſhop of York, as alſo by Robert, Archdeacon of Karliol, at the command of the ſaid Archbiſhop, to whom the inſtitution and ordering of all churches in that dioceſe did at that time belong, the See of Karliol being then vacant; as more fully appears, not only from the charters of their ſaid patrons, but alſo from thoſe of the before-mentioned Archbiſhop of York, and Biſhop and Archdeacon of Karliol. But the peace of the Engliſh church being miſerably diſturbed by the diſputes between the King and the Prieſthood about Canterbury; and the ſaid Monks being not able to vindicate and obtain their right, as they ought and were deſirous to do, becauſe left as a flock without a ſhepherd in the hands and under the power of an enraged King: We, in obedience to the commands of our ſaid Lord the King, have thought fit to induct the ſaid Mr. Ernald into the aforeſaid church, ſaving

ſaving, however, the right of the ſaid Monks after the deceaſe or change in ſtate of the ſaid Ernald, to whoſe induction by the King's command they have at length conſented; at the ſame time entering a proteſt for their right, and appealing to and begging of us that what is now done may not be drawn into a precedent for the future, to their prejudice or grievance. Wherefore, on their repeated ſupplications, we, not only deſirous of preſerving their rights, but alſo thoſe of all religious men, have thought proper to grant them theſe preſent letters, in teſtimony of the juſtice of their claim, and of the violence of theſe late proceedings." Witneſſed the ſame as Bernard's former charter.

Ernald being thus appointed Vicar of Croſſeby-Ravenſwarth, by the expreſs command of King John, "Bernard, by the grace of God, Biſhop of 11
Karliol, gave, granted, and confirmed, to the proper uſes of God, the church of St. Peter and St. Hylda at Wyteby, and the Monks performing divine ſervice there, the church of Croſſeby-Ravenſwart, with all its appurtenances, for a pure and perpetual alms; ſo that after the death, or ceſſion, or change in ſtate of Mr. Ernald, the ſaid Monks might enter into that church, take poſſeſſion of its keys, without waiting for or aſking leave of any perſon whatſoever, and convert all the revenues thereof to their own uſes; only reſerving out of the ſame a yearly ſalary of an hundred ſhillings for the ſupport of the Vicar appointed to do duty there, who, being preſented to the aforeſaid Biſhop, or his ſucceſſors, by the ſaid Monks, was to be anſwerable to him and his ſucceſſors with regard to epiſcopals." Witneſſed the ſame as Bernard's two former charters, excepting only an addition of Elias and Thomas, Chaplains of Whitby.

About three years after this, on the death of Bernard, "Hugh, Prior of 11
Carliol, with the common conſent of the whole Chapter there, granted, as far as was in his power to grant, and by the authority of his preſent charter confirmed, to the venerable men, and dearly beloved brethren in Chriſt, the Monks of the church of St. Peter and St. Hylda at Wyteby, the grant and confirmation made to them by the venerable Father Bernard, late Biſhop of Karliol, of happy memory, with regard to the church of Croſſeby-Ravenſwart, who ordered it to be poſſeſſed by the ſaid Monks for their proper uſes. And that this charter of the Prior's might be the better ratified and confirmed, he ſet thereto his chapter ſeal, and bad them farewell in the Lord."

In the year 1214, all diſputes and differences were ſettled between King John and Pope Innocent III. much to the diſadvantage of the King, who reſigned his crown into the hands of Pandulph, the Pope's Nuncio, or Legate, and acknowledged himſelf a vaſſal to the ſee of Rome; whereupon his Holineſs diſpatched into England Nicholas Biſhop of Tuſculum, or Fraſcati, his Legate extraordinary, to take off the interdict under which the nation had groaned for almoſt ſeven years. This being done, the Legate, according to the power wherewith he was inveſted, made a progreſs through the greateſt part of England, to inquire what Biſhoprics, Abbeys,

Benefices,

Benefices, and church-livings were then vacant, all of which he filled up, and beſtowed on ſuch eccleſiaſtics as he thought proper, without conſulting either the King, or Stephen Langton, who was then Archbiſhop of Canterbury. In his round he appointed an eccleſiaſtic, called John of Eveſham, to be Abbot of Whitby, and ordered all the revenues and poſſeſſions of the Monks there to be reſtored, the ſame as in the days of the Abbot Peter, leaving them eſtabliſhed in peace, and fortified with his charter, almoſt equal in validity to one of his maſter's Bulls.

We have already made ſome mention of Johanna the deſcendant of John Arundel (ſee page 149); and ſhe, for her ſecond huſband, was married to
29 Roger de Bayus. After which, about the year 1215, the ſaid "Roger de Bayuſe her huſband, of his own free will, and with the conſent of his heirs, gave, granted, and by his charter confirmed, to the church of St. Peter and St. Hilda at Wyteby, and to the Monks ſerving God there, eight perches of meadow ground out of his manor in Ormeſby Field near Stainbrigg, as a pure and perpetual alms, for the ſalvation of his own ſoul, and that of his wife, and his anceſtors and ſucceſſors. In teſtimony of which grant he ſet his ſeal to this record. Witneſſes, Alan of Bergheby; Robert of Bar-
27 neby; Roger Arundel; and others." Alſo, "Johanna, wife of Roger de Bayuſe, by the command of her huſband, and the conſent of their heirs, offered up the aforeſaid donation on the high altar of St. Peter and St. Hilda at Wyteby, before many witneſſes there preſent, as a pure and perpetual alms, for their own ſouls, and theſe of their anceſtors and ſucceſſors. In teſtimony whereof ſhe ſet her ſeal to this record. Witneſſes, Mr. Peter Albiny; Roger Arundel her brother; Mr. Hugh of Foſtun; Richer of Filing; and others."

Here I muſt beg leave to obſerve, that theſe perches ſeem to be of a larger dimenſion than what are in our days generally uſed in England. In moſt places where they are mentioned in our records, particularly in the memorial, I apprehend they are to be conſidered as rods or quarter-acres; and ſometimes they even include a larger quantity of ground than that, as may eaſily be proved by ſeveral donations where their dimenſions are particularly ſpecified in yards: But in this preſent caſe I am of opinion we ought to look upon the eight perches given by Roger de Bayus to be eight rods, or two acres: Though after all it muſt be owned, that ſometimes the perches mentioned in the records ſeem to be thoſe very identical perches now uſed by our ſurveyors, as may be better underſtood by carefully peruſing this hiſtory.

64 In the year 1215, "Walter, Chaplain of Sneton, engaged and promiſed to the Lord Abbot John, and Convent of Wyteby, that if he, or his attorneys, ſhould by any intervening accident loſe that land which they had given and granted him as an yearly farm for ſix pence rent, viz. the land which Johanna the daughter of Reginald Arundel gave to the church of Wyteby for a pure alms, (See page 149) he would deſire no other by way of exchange. And leſt they might at any time hereafter be put to trouble or damnified on that account, he ſet his ſeal to this writing, in preſence of Richard

Richard de Percy of Duneſley; Richer of Filing; Thomas of Houkeſgar; William of Houkeſgare; Peter of Neuham; and others."

In that ſame year, Sir William Malebys, Knight, having built a chapel at Little Aton, not much to the liking or ſatisfaction of the Abbot and Monks of Whitby, "promiſed, for himſelf and his heirs, by the engagement of an oath, in the preſence of John the Lord Abbot of Whiteby, and the Monks of that place, and many other Laymen, that their church of Aton in Cliveland ſhould never receive any prejudice or damage from his chapel ſituate at Little Aton in that pariſh: But if any oblation or obvention was at any time made to the ſaid chapel, it ſhould be faithfully and intirely given up, without difficulty or grumbling, to the ſaid mother church of Aton. In teſtimony whereof he ſet his ſeal to this record: Witneſſes to which were, Sir William de Everley, Knight; John of Kereby *(Kirkby)*; Andrew de Dunell *(probably Durham)*; Geoffrey de Everley; Roger the Vicar *(of Aton)*; John of Yrton; Hugh de Sartrine; and many others." 116

This chapel was afterwards ceded to the mother church of Aton, and came under the direction and management of the Abbot and Monks of Whitby.

Some little time after this, the ſame "William Malebiſe gave, granted, and by his charter confirmed, to God, and the church of St. Hylda at Midleſburc, and to the Monks performing divine ſervice there, for a pure and perpetual alms, all the lands and paſtures in his freehold at Brachanhoe, which Hugh Malebiſe his father, and Hugh Malebiſe his brother, granted to the aforeſaid church and Monks, included within the following boundaries, viz. along the Headland of Long Ralph, *(Ralph Long)* to the place where that Headland goes into Caldecotes Slack *(in Fletum de Caldecotes)*; and thence along the middle of the Slack, to the Mill-Dam or Mill-Race *(in Pletum Molendini)* near to Felebrige; and thence to the neareſt boundary of Thomas de Martun's land; and thence upward to the Headland of the aforeſaid Long Ralph: All which lands and paſtures he and his heirs warranted and inſured in all things for ever to the aforeſaid Monks, againſt all men whatſoever. Witneſſes, Richard Malebiſe; Hugh his brother; Geoffrey de Thorney; Alan Malekake; and others." 23 *and* 28

In the year 1216, "Henry of Boithorp granted, and by his charter confirmed, to God, and St. Peter and St. Hilda of Wyteby, and to the Monks performing divine ſervice there, the alms of his anceſtors, viz. two garbs out of all his lordſhip in Boythorp, for a perpetual and pure alms, for his own ſoul, and thoſe of his heirs and anceſtors. Witneſſes, Jeremy, the Archdeacon; Robert, Dean of Helmeſley; Thomas, a Chaplain; Pauline, a Chaplain; and others." 21

In that ſame year, "Robert the Abbot of St. Mary's at York, and the Convent there, granted and demiſed to the Abbot and Convent of Wyteby, as a perpetual farm, two tenth parts of their lordſhip of Mayburn, in corn, and all other things that were tithable, on paying annually for the ſame to their Monks at Wedhall ten quarters of good and merchantable wheat, at their houſes in Appelby on a market-day; ſo that the ſaid corn ſhould be 68

all

all delivered to them, or ſuch as they ſhould appoint, between the feaſt of St. Michael and the Eaſter-day next following. But if the wheat they brought was not good and merchantable, then they were to pay the price of good wheat, according to its value at that time in Appelby market. Alſo if the ſaid wheat, or its value, was not fully paid within the before-mentioned terms, then they were to give to the fabric of the church of St. Mary's at Karleol, under the name of a fine, half a mark of ſilver, over and above the corn that was wanting, or its value. But if at any time after that, Witeby Abbey ſhould happen to be in the cuſtody of our Lord the King, the Monks being without an Abbot, and an Abbey-Warden appointed on the part of the King, as is ſaid above, then this corn, or its value, was not to be paid during the time of ſuch Subſtitute-Abbot; without any difficulty or contradiction for not having the corn, or its value, paid at their houſes in Appelby, the Monks at Wedhall were to declare themſelves fully ſatisfied, and give acquittances for the ſame to the Monks of Wyteby. But if the ſaid Monks of Wyteby ſhould happen by any unforeſeen accident, or law-ſuit, to be deprived of their church of Croſſeby-Ravenſwart, and on account of that loſs ſhould ſtop payment of the ſaid corn, or its value, then it ſhould be lawful for the Abbot and Convent of St. Mary's at York, notwithſtanding this agreement, again freely to take poſſeſſion of and receive the ſaid tithes, without any contradiction or diſturbance from the Abbot and Convent of Wyteby. Now for the better obſervation of all the articles contained in this agreement, the ſaid Abbot and Convent of Wyteby ſubmitted themſelves to the juriſdiction of the Official of Karleol for the time being, who was inveſted with full power to compel them by the eccleſiaſtical cenſure, without admitting of any appeal, (notwithſtanding their privilege of not being in that dioceſe) to an inviolable obſervance of the ſame. And that this preſent deed for the ſaid grant and demiſe might remain firm and ſtable, the Abbot and Convent of St. Mary's at York ſet thereto their charter ſeal."

20 In the year 1217, "Roger of Homeldun *(Hamilton)* quit-claimed, and by his charter confirmed, to John Abbot of Wyteby, and the Convent there, all right which he, or any of his anceſtors, had to two carucates of land, with their appurtenances, in Hetun and in Oxeneham, *(See page 81)* reſerving only to himſelf, and his heirs, half a mark of ſilver which he received yearly for the ſame by the hands of Richard of Hetun, and his heirs, at two terms, viz. half thereof every Martinmas, and the other half every Whitſuntide. Witneſſes, Mr. William, Prior of Kelch' *(Kelſo)*; Geoffrey the Chanter; Nigell, a Canon of Jedewrd *(Jedburgh)*; Walter Seneſcall of that place; Roger, a Monk; and others."

18 *and* 117 In the year 1218, "Hugh of Hoton gave, granted, and by this his preſent charter confirmed, to God, and the church of St. Peter and St. Hilda at Whiteby, and to the Monks performing divine ſervice there, for himſelf and Petronilla his wife, and for the ſouls of his father and mother, and thoſe of Margaret and Agnes his two former wives, a toft at the high end of the town of Hoton, as fully and wholly as Eudo poſſeſſed the ſame, (only reſerving

ſerving the courſe of a ſpring which ran into his fiſh-pond) for a pure and perpetual alms, free and clear from every ſecular ſervice, with all the privileges and eaſements belonging to ſuch a quantity of ground in that town; and whoever poſſeſſed the ſaid toft was to have an allowance out of the dry *(or rotten)* wood in his foreſt, without any contradiction from him or his heirs. Now the ſaid Hugh, and his heirs, warranted this donation to the aforeſaid church of Whiteby for ever, againſt all men and women whatſoever. Witneſſes, Walter de Percy of Kildale; Ralph de Nova Villa *(Newton or Nevill)* Roger de Roſell; Walter de Camera; Richer of Fieling; William of Whiteby; Walter of Hoton; William of * Toccots; William of Haukyſgarth; and many others."

That ſame year "Peter of Aton gave up, and quit-claimed, for himſelf and his heirs, for ever, to John the Lord Abbot of Whiteby, and the Convent there, all that land, with its appurtenances, which he held of them in the town of Aton, and which was heretofore a free alms pertaining to their church of Aton. And that the ſaid ſurrender and quitting-claim might be confirmed for ever, he ſet his ſeal to this record, in the preſence of Sir William de Everley; Mr. Stephen Roſell; Thomas of Hawkeſgarth; Richer of Filyng; Roger of Yrton; John of Yrton; and others." 115

In that ſame year, "Cecilia de Punchardin gave, granted, and by her charter confirmed, to God, and the church of bleſſed Peter and St. Hilda at Wyteby, and to the Monks performing divine ſervice there, all her land in Fiſkergate at York, with its appurtenances and privileges, which ſhe and her anceſtors held of the ſaid Monks. Now Cecily, and her heirs, warranted this land to the ſaid Monks againſt all men for ever: And that this her donation might be confirmed for ever, ſhe delivered to them this record, ſealed with her ſeal, in the preſence of Laurence, formerly Prior of Giſeburn; Ralph Nuvel of York; Henry de Puſat; Helias; Flur'; Benedict the ſon of Arnald; and others." 63

It was in the year 1215 that "Roger de Argentum gave, granted, and by his charter confirmed, to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Monks performing divine ſervice there, for the ſalvation of his own ſoul, and the ſalvation of his father and mother, and wife Amicea, and all his anceſtors and heirs, for a pure and perpetual alms, free, clear, and quit from every earthly ſervice and ſecular exaction, his hermitage at Salteburne, upon the banks of Holebec, which Archill poſſeſſed, with all its appurtenances, eaſements, and liberties, in lands, paſtures, or waters, without any reſtriction, to do therewith whatever they would, for ever. Now he, and his heirs, were to keep poſſeſſion of this hermitage, which they warranted to the aforeſaid Monks againſt all men, for ever. Witneſſes, Laurence, Prior of Giſeburn; Henry, Chaplain of Stokeſley; Adam, Chaplain of Engelby; and others." 57

In the year 1218, this ſame "Roger de Argentum, influenced by a motive of divine piety, granted, gave, and by this his preſent charter confirmed, to God, and the church of St. Peter and St. Hylda at Wyteby, and 17

* Toccots-Hall near Guiſbro', now the property of William Chaloner, Eſq.

to the Monks ſerving God there, one oxgang of land in the town of Upplium, with a toft pertaining thereto, and all other appurtenances and eaſements, whether in the town or out of it, (that oxgang of land being the moſt ſoutherly of thoſe three which his father Roger the ſon of Peter bought of Peter Scarbot) for a free, pure, and perpetual alms, clear from every ſervice, cuſtom, and ſecular exaction, for the ſalvation of his own ſoul, and that of all his anceſtors and ſucceſſors. Now the ſaid Roger and his heirs warranted and inſured the aforeſaid alms to the ſaid Monks againſt all men and women for ever. Witneſſes, Richer of Fieling; Thomas, a Chaplain; Robert de Bedingtha; Gregory de Argenton; and others."

57 In the year 1219, this ſame "Roger de Argenton gave up and quit-claimed, to God, and St. Peter and St. Hylda of Wyteby, and to the Monks ſerving God there, all right he had to two and one ſixth acres of land in the territory of Upplium, viz. one acre in Eldeberge, half an acre at Grocros, and two thirds of an acre in Grenewal, it being that land which Juliana, wife of William de Argenton, received from the houſe at Wyteby under the name of a dower, out of thoſe two oxgangs of land which William de Argenton, huſband of the ſaid Juliana, gave to God and the church of Wyteby as a pure and perpetual alms, *(See page 144)*. Now this grant, and quitting of claim, he made to God, and St. Peter and St. Hylda of Wyteby, and to the Monks ſerving God there, for the ſalvation of his own ſoul, and that of his anceſtors and heirs. Witneſſes, Stephen de Blaby; Gregory de Argenten; John Flambard; John de Argentem; William of Wyteby; Robert, ſon of Agnes; and others.

63 That year alſo, "Helias, ſervant of Helias, formerly Dean of Ridale, gave, granted, and by his charter confirmed, to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Almoner of that church, ſix pence to be received yearly out of that land which the ſaid Helias his maſter gave him for his homage and ſervice, viz. three pence every Whitſuntide, and three pence more every Martinmas. And that this donation might remain firm and ſtable, he bound himſelf and his heirs, by taking his corporal oath; and alſo further confirmed the ſame, by ſetting his ſeal to this written deed, in the preſence of Thomas, a Chaplain; Mr. Hugh of Foſtun; Robert of Bedingham; and others."

56 In the year 1220, "John of Atun, ſon of William, elder ſon of Gilbert of Atun, gave, granted, and by his charter confirmed, to God, and the church of St. Hylda at Wyteby, and to the Monks ſerving God there, for the ſalvation of his own ſoul, and thoſe of his father and anceſtors, all that land which Roger a ſmith at Wycham held of him, viz. one toft in Wicham, ſixteen perches broad, and thirty three perches long, (meaſured by the perch of Martun) adjoining the King's highway, at the head of the town, towards the eaſt; and a culture of land at Leche, viz. that lying between the meadow which was Gervaſe Preſtun's, and the earth-dyke of the aforeſaid Smith Roger, according as that earth-dyke extended in length and breadth. Now all this land the aforeſaid John of Atun gave to the ſaid church of Wyteby, and to the Monks ſerving God there,

there, with all its privileges and eaſements, whether in the town or out of it, for a pure and perpetual alms, free, quiet, and clear from every ſervice or cuſtom due to him or his heirs, ſo that no alms could be freer or fuller: And he, and his heirs, warranted the ſame to God, and the church of St. Hylda at Wyteby, againſt all men and women, for ever. Witneſſes, Gilbert of Atun; William Buſcel; John of Caytun; Richard Buſcel; Alan de Preſtun; Hugh de Foſtun; Robert ſon of William; and others."

About the ſame time, "John, by the grace of God, Abbot of Wyteby, 44
and the Convent there, gave, granted, and by their charter confirmed, to Roger a ſmith of Wicham, all the land which John of Aton gave them for a pure and perpetual alms:" *(Here it is particularly deſcribed as in the laſt charter.)* "To be held and poſſeſſed of them, by him and his heirs, freely and quietly, with all its appurtenances and eaſements, whether in the town of Wycham or out of it, on paying for the ſame annually ſix pence every Whitſuntide in lieu of every ſervice, cuſtom, or exaction. Now they took the ſaid Roger, and his heirs, under the protection of God and their Convent, as men belonging to God, and to the church of St. Peter and St. Hilda at Wyteby: And that the ſaid grant and donation might be ratified and confirmed, they ſet their chapter ſeal to this deed. Witneſſes, the Chapter; and alſo Gilbert of Aton; John of Chameſtun, *(or Steameſtun)*; Richard Buſcel; Alan of Preſtun; and others."

In the year 1220, "Thomas Dane gave, granted, and by his charter con- 17
firmed, to God, and St. Peter and St. Hylda of Wyteby, and to the Monks performing divine ſervice there, all that land in Suthfeld, and toft in Hakaneſſe, which his predeceſſors held of the church of Wyteby; to be held of him and his heirs for ever, free and clear from every ſervice and ſecular exaction, ſo that neither he nor his heirs were to claim it again, nor exact or require any thing for the ſame, except one pound of pepper, which the ſaid Monks ſhould yearly pay to him and his heirs at Wyteby, on the feaſt of the tranſlation of St. Hylda. Now the ſaid Thomas, for himſelf and his heirs, made an affidavit, and ſolemnly ſwore, before the high altar, and the holy reliques, in the church of Wyteby, that he would maintain this donation firm and inviolable. Witneſſes, Thomas, a Chaplain; Pauline, a Prieſt; Roger the Chamberlain; Ralph *(Nuvel)* of York; and many others."

That ſame year, "Richard de Thoccotys of Great-Brotton obliged and 117
bound himſelf, and his heirs, to God, and the Abbot and Houſe of Whiteby, and to the Monks performing divine ſervice there, to find a lamp always burning before the high altar of St. Mary's at Aton, during the time that maſs was celebrating. And if it ſhould ſo happen that the ſaid Richard or his heirs ſhould fail in finding the ſaid lamp or light, he empowered the Abbot and Monks of Whiteby, by the court of chriſtianity, to diſtrain upon all the goods belonging to him or his heirs, moveable or immoveable, whereſoever they might be found, and by the ſtricteſt ways and means that could be taken to compel him or them to find and maintain the afore-

ſaid light; refunding to the ſaid Abbot and Monks the expences they ſhould be at by ſuch proſecution for want of this light; and for ſetling or eſtimating theſe expences, the bare word of the ſaid Abbot and Monks were to be taken. Moreover, he obliged himſelf and his heirs never to ſell their land at Brotton, leſt that might cauſe a failure, and the ſaid lamp or light before the high altar of St. Mary's at Aton ſhould be taken away, or ſuffered to go out at maſs. In confirmation whereof, the ſaid Richard, for himſelf and his heirs, ſet his ſeal to this written deed, in the preſence of Adam, Lord of Aton; William de Sengers; John de Blaby; Richard de Waxand; John de Tocotes; Thomas de Hardworde; Robert Guer'; Thomas de Salkot; William de Mobray; Robert de Scotterſcleff; William de Thornton; and many others."

118 In the year 1221, "Matilda, daughter of Henry de Percy of Batterſby, formerly wife of William Grundy, gave up, and quit-claimed all her dower in the land which the aforeſaid William her Lord had at Yngwall, to Lord John the Abbot, and Convent of Whiteby, for ten ſhillings by them to her in hand paid. And that the ſaid grant might remain confirmed, ſhe ſet her ſeal to this written deed, in the preſence of Helias, a Chaplain; Thomas, a Chaplain; William, ſon of Ukkil; Robert de Bedingham; Richer of Fylyng; Thomas of Haukeſgarth; William de Walden; Luke of the Dales; Alan of Everley; Andrew of Dunſley; Adam the Cook; Roger of Midilſburgh; Gilbert Burgeis; and many others."

119 That ſame year, "John, by the grace of God, Abbot of Whiteby, and the Convent there, obliged themſelves to warrant to Roger of Hyrton and his heirs, all the lands which he held of Andrew of Haukeſgarth, (the ſaid Andrew by his charter having given them the homage and ſervice of the ſaid Roger and his heirs) in the ſame manner as Andrew and his heirs uſed to warrant theſe premiſes to the aforeſaid Roger and his heirs, according to the tenor of thoſe charters granted him by the ſaid Andrew and his anceſtors. Now they allowed the ſaid Roger and his heirs to hold all thoſe lands of them, as freely and quietly as he ever held them of Andrew and his anceſtors, on rendering the ſame ſervice for the ſame that is ſpecified in his charters: Moreover, they permitted him to grind his corn at whatever miln he pleaſed. In teſtimony of which, they ſet hereto their chapter ſeal in the preſence of Sir Robert Igeram; Sir William Everley; Thomas of Haukeſgarth; Richer of Filyng, then Seneſcal; Richer his ſon; John of Newham; Peter of Aton; Andrew of Dunſley; Nichol Wyberne, then Steward (*Præpoſitus*) of Whiteby; Simon the Janitor; Robert of Lith; and others."

27 In the year 1222, "Roger Cuſin gave, granted, and by his charter confirmed, to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Monks performing divine ſervice there, one oxgang of land in Levingthorp, viz. that oxgang which lies between the oxgang of the Monks of Beghland, and the oxgang which was Emme de Berewic's: To have and to hold the ſame of him and his heirs, for a perpetual alms. Now the ſaid Roger, and his heirs, warrant the ſaid oxgang of land in Levingthorp to the aforeſaid Church and Monks of Wyteby, againſt all men, for ever: And

to

to confirm and eſtabliſh the ſame, he ſet thereto his ſeal, in the preſence of Alan of Bergeby; Richard de Percy of Duneſley; Roger de Roſel; Thomas; and others."

That ſame year, "Robert, ſon of William, of Ayketun *(Egton)*, by his 43
charter granted and confirmed the charters of Robert of Ayketun his grandfather, and of William of Ayketun his father, which they made to the church of Wyteby, on ſurrendering the town of Suthfieling; *(ſee pape 134)* and he ſurrendered and quit-claimed, for himſelf and his heirs, to the church of Wyteby, for a perpetual and free alms, all the right and claim that he had, or ſeemed to have, to the ſaid town of Suthfieling, or any of its appurtenances; ſo that neither he, nor any of his heirs, would put in any claim, or give any trouble to the Monks of the aforeſaid church for the ſaid town. And he ſolemnly ſwore, and made affidavit, that he would firmly and faithfully abide by this, that the Monks of the aforeſaid church ſhould never be damnified by him, nor any other on his account, for the ſaid town. But if any other beſides him or his heirs ſhould put in a claim to the aforeſaid premiſes, he would not be obliged to warrant the ſaid Monks againſt ſuch claim. Witneſſes, Walter, Chaplain of Wyteby; Thomas, a Chaplain; John, Chaplain of Ugelbardeby; Walter of Duneſley, and others."

In the year 1221 died Ernald of Auclind, whom King John had appointed to be Parſon of Croſſeby-Ravenſwarth; on which the Abbot John and Monks of Whitby, eager to preſerve their right of preſentation to the ſaid living, applied to Hugh, formerly Prior, but then Biſhop of Carliſle, who, at their earneſt ſolicitation, granted them the following charter:

"TO all faithful chriſtians to whom this preſent writing ſhall come, 11
Hugh, by the grace of God, Biſhop of Karliol, greeting. Whereas it pertaineth to the care of a Biſhop, as a pious duty, to preſerve the rights of religious men untouched, and to renew ſuch as have been broken, we are more particularly obliged to maintain the rights of thoſe among whom regular diſcipline prevails, and by whom the laws of hoſpitality are obſerved. For which reaſon, when Mr. Ernald of Auclind (who poſſeſſed the living of Croſſeby-Ravenſwart, by the donation of the illuſtrious John, King of England, while in cuſtody of Wyteby-Abbey) yielded to fate, the venerable John, Abbot of Wyteby, ſhewed us the charter of Edelwald our predeceſſor, of happy memory, and the confirmation thereof by Roger, Archbiſhop of York, of bleſſed remembrance, who granted and confirmed the aforeſaid church, with all its appurtenances, to the Monaſtery of St. Peter and St. Hylda at Wyteby, and to the Monks ſerving God there; and alſo the charter of Robert, at that time Archdeacon of Karliol, who inveſted them with the coporal poſſeſſion of the ſaid church; humbly and devoutly beſeeching us that we would permit him, the ſaid Abbot, and the Monks of Wyteby, to have and poſſeſs the before-mentioned church, which the aforeſaid Mr. Ernald obtained when Wyteby Abbey was vacant. We therefore having regard to the church of Croſſeby-Ravenſwart, adjudge it by undoubted right

right to belong to the Abbot and Monks of Wyteby; and with a fatherly affection, taking care for their indemnity, that it may not turn out to their prejudice, for the aforeſaid church having been granted to and long poſſeſſed by the ſaid Mr. Arnald, to the manifeſt injury and wrong of the ſaid church of Wyteby; by the advice of diſcreet men, and the conſent of our chapter, we renew to them the poſſeſſion thereof, with all its appurtenances, and, treading in the ſteps of our predeceſſor, allow them to convert its revenues to their proper uſes. And leſt the right which the before-mentioned Monks had, and now have, to the ſaid church might be called in queſtion, through the backſliding or crafty wilineſs of deceitful and wicked men, we have permitted our ſeal to be put to this preſent charter, approving and confirming the ſame, and ordering the ſaid Monks to have and poſſeſs the aforeſaid church, with all its appurtenances, converting the revenues thereof to their proper uſes for ever; only ſaving to us, and our ſucceſſors, our right in every thing relating to epiſcopals. Witneſſes, Mr. Bartholomew, Prior of Karliol; Mr. Suffred, Prior of Wedhal; Laurence, formerly Prior of Giſeburn; John, Sacriſt of Giſeburn; Mr. A. Official, and A. Dean of Karliol; A. Parſon of Stratford; A. and S. Canons of Wart; R. Vicar of Bridekirke; and many others."

At the ſame time the Biſhop of Carliſle granted another charter to John the Abbot, and Convent of Whitby, as follows:

12 "TO all faithful chriſtians to whom this preſent writing ſhall come, Hugh, by the grace of God, Biſhop of Karleol, greeting in the Lord. Know all of you, that we, influenced by divine charity, with the conſent and aſſent of our chapter, have granted, and by our preſent charter confirmed, to God, and St. Peter and St. Hylda of Wyteby, and to the Monks ſerving God there, the church of Croſſeby-Ravenſwart in Weſtmoreland, with its appurtenances, to be poſſeſſed by them for their proper uſes for ever; and have ſolemnly appointed Lord John (the Abbot) to be Parſon of the ſaid church; yet ſo as that he may depute a ſubſtitute under him, who ſhall have a convenient and gentleman-like ſupport allowed him out of the revenues of the ſaid church, viz. one hundred ſhillings per annum, from the hand of the Abbot and Convent of Wyteby, and who ſhall be anſwerable to us and our ſucceſſors with regard to ſpirituals. Witneſſes," the ſame as in the former charter.

About the ſame time the Prior and Chapter of Carliſle granted their charter to John the Abbot, and Convent of Whitby, as follows:

12 "TO all faithful chriſtians to whom this preſent writing ſhall come, Bartholomew the Prior, and Chapter of Canons at Karliol, greeting in the Lord. Know ye, that we ratify and confirm, as far as belongs to us, the donations, grants, and confirmations, made to our beloved friends, the Abbot and Convent of Wyteby, by our venerable fathers Edelwald and Hugh, Biſhops; and the renewal thereof made to the ſaid Abbot and Convent

vent by our ſaid venerable father Hugh, Biſhop of Karliol, for the church of Croſſeby-Ravenſwart in Weſtmoreland, with its appurtenances, to be poſſeſſed by them, for their proper uſes, for ever, as expreſſed in the charters of the ſaid Biſhops. In teſtimony whereof we have ſet our chapter ſeal to this preſent deed."

Soon after this the official, or ſteward of the ſpiritual court at Carliſle, granted alſo his charter to John the Abbot, and Convent of Whitby, as follows:

"TO all faithful chriſtians, Mr. A. the official of Karliol, greeting. 12
Know all of you, that I, at the command of my Lord Hugh, by the grace of God, Biſhop of Karliol, have inducted Lord John, Abbot of Wyteby, into the corporal poſſeſſion of the church of Croſſeby-Ravenſwart, on the eighth of the kalends of December, he having appealed to us for his poſſeſſion and right to the aforeſaid church. In teſtimony whereof I have ſet my ſeal to theſe preſent letters, before Mr. Laurence, formerly Prior of Giſeburn; Mr. A. Dean of Weſtmoreland; A. of Stratford; and T. of Morlund, brothers; and many others."

The Abbot John, and Monks of Whitby, not yet thinking themſelves ſufficiently ſecured in the poſſeſſion of the church of Croſſeby-Ravenſwarth, applied to Thomas de Haſtyngs, the lineal deſcendant and heir at law of Torphine de Alverſtane, the firſt grantee, who, "ratified and confirmed to them 9
all the donations and grants which Torphine de Alverſtane, and Alan his ſon, *and*
grandfather to the ſaid Thomas, made to God, and the church of St. Peter 103
and St. Hylda at Whiteby, and to the Monks ſerving God there, for the church of Croſſeby-Ravenſwarth in Weſtmoreland, and its appurtenances. Theſe donations and grants he now confirmed by his charter, for his own ſoul, and thoſe of his anceſtors: And that this his confirmation might remain firm and ſtable, he ſet thereto his ſeal, in the preſence of Philip de Haſtyngs; Gilbert of Aton; William Buſſell; Henry and Alan de Haſtyngs; Geoffrey de Geddyng; Richer of Fylyng; William of Whiteby; William of Hergum; and others."

The Abbot John, and Monks of Whitby, ſtill doubting that their property in the church of Croſſeby-Ravenſwarth was not ſufficiently ſecured, bethought themſelves next of procuring the Pope's charter, or bull, for the ſame, whoſe validity in that dark and illiterate age no body durſt call in queſtion. For this purpoſe they appointed a commiſſion, compoſed of the Abbots and Priors of ſome of the neighbouring monaſteries, to whom they ſhewed all their charters for the ſaid church, and deſired them to take authentic copies of the ſame, for whoſe correctneſs they could give ſufficient teſtimonials. The reſult of this commiſſion was, the drawing up the following record, by way of certificate, along with theſe copies they had taken, which were to be laid before his holineſs the Pope of Rome.

"TO all to whom this preſent writing ſhall come, the Abbots of Revall 103
and Belleland, and the Priors of Gyſburn, Brydlington, Newburgh,
and

and Marton, wiſh eternal health in the Lord. Know all of you, that we have carefully inſpected and handled the charters or deeds of the venerable men the Abbot and Monks of Whiteby, which they have for the church of Croſſeby-Ravenſwarth, in the dioceſe of Karliol; whoſe contents, word for word, as they were in the ſaid deeds, we have copied out, and atteſted with our ſeals, at the requeſt of the ſaid Abbot and Monks of Whiteby, and annexed the ſame to this inſtrument or certificate."

This certificate, and the copies that were taken, they ſent to Rome, by a ſpecial meſſenger: But his Holineſs, after inſpecting the contents, objected to the regularity of their proceedings, the commiſſioners not having been appointed by proper authority from the ſee of Rome: Pope Honorius therefore iſſued out apoſtolic letters, by which the Abbot of Selby, and Priors of Durham, Gyſburn, and Fynchale, were appointed his delegates, who were to inſpect anew all theſe charters the Abbot and Monks of Whitby had for their church of Croſſeby-Ravenſwarth, and to tranſmit him exact copies of the ſame, after receiving of which copies he promiſed to do what to juſtice ſhould appertain. Accordingly theſe gentlemen being aſſembled, took exact copies of the ſaid charters, whoſe authenticity they vouched to his Holineſs by the following certificate;

103 "TO the moſt reverend Father and Lord Honorius, by the grace of God, chief Pontiff *(ſummo Pontifici)* the Abbot of Selby, the Priors of Dunelm, Gyſburn, and Fynchale, greeting in the Lord, and a devout cauſe, and due obedience and reverence from all. Be it known to your Holineſs, that we have inſpected the charters of the venerable men the Abbot and Monks of Whiteby, which they have for the church of Croſſeby-Ravenſwarth, of which we tranſmit copies, atteſted with our ſeals, to your Holineſs, beſeeching your clemency that with the uſual favour of your benignity you would have regard to their ſupplications. We bid your Holineſs farewell in the Lord."

This certificate, and the copies, being ſent to Rome, his Holineſs was pleaſed to grant the following charter, or bull, to the Abbot John and Monks of Whitby:

104 "BIſhop Honorius, a ſervant of the ſervants of God, to his well beloved ſons the Abbot and Convent of the Monaſtery of Witeby, greeting, and apoſtolical benediction. It is reaſonable that we ſhould lend a ready ear to the juſt deſires of all petitioners, and effectually compleat the wiſhes of thoſe who deſire only what is right and equitable: For which cauſe, dearly beloved children in the Lord, freely and willingly giving our aſſent to your juſt requeſts, we confirm unto you by apoſtolic authority, and ratify to you by this preſent writing, the church of Croſſeby, which ye have deſired to obtain canonically, that ye may poſſeſs the ſame juſtly and peaceably for yourſelves and your Monaſtery. Let none therefore preſume to infringe this page of our

our confirmation, or dare with raſh attempt to contradict the ſame; for be it known, that he who endeavours to ſet it aſide, will incur the indignation of Almighty God, and of the bleſſed apoſtles Peter and Paul. Dated at Lateran, on the 4th of the Nones of May, in the ſixth year of our pontificate." *(viz. anno* 1222.)

The church of Croſſeby being thus confirmed to the Abbot and Monks of Whitby by this bull from Pope Honorius, no further attempts were then made to wreſt it from them, though they afterwards had a great deal of trouble about the ſame. The Abbot John was very active in this affair, but had not the pleaſure of ſeeing the whole compleated to his wiſhes before his death, which happened in the ſummer ſeaſon of the year 1222; ſoon after which a Monk, called Roger of Scarbrough, was, by the Convent of Whitby, choſen Abbot in his ſtead. This Roger was born at Scarbrough, but reſided many years in the cell at Middleburgh church, whence aroſe the univerſal veneration every body in that part of the county had for him, and the many donations made from thence to the Monaſtery of Whitby during the time of his reign. He was undoubtedly a man of great abilities, and no Abbot of Whitby ever equalled him, or ſo much advanced the intereſt of the Monaſtery there. Richard indeed was much reſpected, and acquired a great character among the Monks, but was neither ſo popular nor ſo active as Roger. Richard was a ſtill, quiet, devout man, who ſeldom talked much on any topic but religion: Roger ſpoke more, but was an upright honeſt man, without diſſimulation, who regularly performed all the duties of religion; free, open, and devoid of pride, his behaviour engaged and endeared him to all with whom he had any dealings; and the charities he beſtowed were always ſo well choſen and timed, that they added to his reputation, and gained him freſh ſupplies of money and continual liberalities from the whole country for many miles round; and though it does not appear that he ever was called up to parliament as a Lord, yet no nobleman in England was more revered and reſpected. During the twenty two years of his reign he raiſed the Monaſtery of Whitby to the full zenith of its glory; for never did it make ſo illuſtrious a figure as when governed by Roger, nor ever after his death did it gain any conſiderable additions either of riches or power. Finally, he was an ornament to his profeſſion, and perhaps merits an eulogy or encomium more than any other eccleſiaſtic who ever reſided at Whitby. But it is time for us to begin with the tranſactions of his reign, which are ſo numerous, that it is no eaſy taſk to tell where we ought to begin firſt.

The Monks of Whitby had by this time found out the way to Rome, and knew the method of applying to the Pope; but, notwithſtanding the ſteps taken by the deceaſed Abbot John, their poſſeſſions were ſtill badly ſecured to them in the pariſh of Croſſeby-Ravenſwarth. To remedy this, they diſpatched a courier to Rome, who informed his Holineſs of the great injury they ſuſtained from the Abbot and Convent of Hep, and others, with regard to the tithes of Revegile chapel in the ſaid pariſh; on which his Holineſs appointed Michael Prior of Gyſburne, W. Chanter of the ſaid place, and R.

Dean of Cliveland, his delegates, to examine into their complaints, redreſs all grievances, and ſee that juſtice was done. The whole affair will beſt appear from the following record:

69 "TO all ſons of holy mother Church to whom this preſent writing ſhall come, M. Prior of Giſeburn; W. Chanter of the ſaid place; and R. Dean of Cliveland; greeting in the Lord. Know all of you, that we have received the commands of our Lord the Pope in the following words:

"BIſhop Honorius, a ſervant of the ſervants of God, to his well-beloved ſons, the Prior and Chanter of Giſeburn, and Dean of Cliveland, in the dioceſe of York, greeting and apoſtolical benediction. The Abbot and Convent of Wyteby having complained to us that the Abbot and Convent of Hep, and ſome others in the dioceſes of York and Karliol, injure them in certain tithes and other things pertaining to their church of Croſſeby: Therefore, by this apoſtolic writing, we order your diſcretion, that forthwith calling all the parties together you hear the cauſe, and, ſetting aſide any appeal, without delay determine the ſame, enforcing the obſervance of what you decree by the eccleſiaſtical cenſure. Alſo the witneſſes that ſhall be named, if they withdraw themſelves through favour, hatred, or fear, you ſhall compel them, by the ſame cenſure, to give in their evidence to the truth, without admitting of any appeal. Now, if all of you cannot be preſent at performing theſe orders, any two of you may nevertheleſs perform the ſame. Dated at Lateran, on the fifteenth of the Kalends of March, in the eighth year of our pontificate: (1224)

"Therefore the ſeveral parties appearing before us, by the authority of this order, the law ſuit between them, concerning the tithes and chapel of Revegil, was ſettled in the following manner, viz. That the aforeſaid Abbot and Convent of Hep ſhall be obliged to pay yearly to the church of Croſſeby, under the name of tithes, ſix * ſkepfuls *(ſkeppas)* of merchantable oatmeal for the tithes of their land in Revegil which they cultivate with their own hands, and at their own expence, at the time of making this agreement, viz. three ſkepfuls at the feaſt of St. Martin in Winter, and three ſkepfuls at Eaſter: But for the new-tilled land that ſhall be cultivated after making this agreement, though not with their own hands, or at their own expence, they ſhall pay no tithes: But if they lett theſe lands out, after being ſo improved, they ſhall then pay tithes for the ſame to the full. Furthermore, it ſhall and may be lawful for the Abbot and Monks of Hep to celebrate divine ſervice in their chapel of Revegil, ſaving harmleſs the mother church of Croſſeby with regard to oblations, obventions, confeſſions, communions, burials, and all other things. And that this agreement may be kept inviolable and without fraud, the Abbot of Wyteby for himſelf and his Convent, and the Abbot of Hep for himſelf and his Convent, ſeverally take their oaths upon the holy evangeliſts:

* A ſkepful is a quarter.

geliſts: In teſtimony whereof they have, along with us, ſet their ſeals to this deed; ſubmitting themſelves to the juriſdiction of the Abbot of Jorevall and Prior of Dunelm, if either of them ſhall attempt any thing contrary to this agreement. Done at Giſeburn, on the twentieth of the Kalends of May, in the year of incarnation 1225."

About this time diſputes concerning tithes running very high here in England, and nothing being regularly ſettled or determined concerning the ſame, Pope Honorius was applied to, who, by his bull, directed to Roger Abbot of Whitby, laid the foundation for all thoſe regulations relating thereto, then, and in the ſubſequent ages of popery, till the diſſolution of Monaſteries here in England: Nay, that bull is ſtill a kind of ſtandard or rule on which the preſent laws relating to tithes depend. The following is an exact tranſlation thereof:

"BIſhop Honorius, a ſervant of the ſervants of God, to his well-beloved 32
ſons the Abbot and Convent of Wyteby, greeting and apoſtolic benediction. When that which is deſired of us is juſt and honourable, not only the force of equity, but alſo the order of things requires that, through the care of that duty incumbent upon us, we ſee it produce the proper effect. Wherefore, beloved children in the Lord, moved by your reaſonable requeſts, we take under St. Peter's and our protection, your perſons, and the place where you are engaged in the ſervice of the divine being, with all the goods which at preſent it lawfully poſſeſſes, or may for the future obtain, by juſt ways and means, through the Lord's aſſiſtance: More eſpecially we confirm and eſtabliſh to you, by apoſtolic authority, and by the patronage of our preſent charter, all thoſe liberties, privileges, lands, revenues, poſſeſſions, and other goods, granted to your Monaſtery by the pious liberality of faithful chriſtians; ſo that you may juſtly, canonically, and peaceably obtain the ſame for yourſelves and your Monaſtery; ſtrictly charging that no body exact, or preſume to extort, tithes from you for thoſe new-tilled lands which you cultivate with your own hands, and at your own expence, nor for the food wherewith your animals are ſuſtained. Let no man therefore preſume to infringe this page of our protection, confirmation, and inhibition, or dare with raſh attempt to contradict the ſame; for be it known, that he who endeavours to ſet it aſide will incur the indignation of Almighty God, and of the bleſſed apoſtles Peter and Paul. Dated at Lateran, on the fourth of the Ides of April, in the eighth year of our pontificate," (1225).

In the year 1226, this ſame Pope Honorius granted the Abbot Roger and the Monks of Whitby another charter, containing many orders, and indulgences, and confirmations, as follows:

"BIſhop Honorius, a ſervant of the ſervants of God, to his well-be- 32
loved ſons the Abbot of the Monaſtery of Wyteby, and his fraternity, as well preſent as to come, profeſſing a regular life, for ever, greeting. It is meet that thoſe who profeſs a religious life ſhould have the apoſtolic protec-

tion, leſt the attempts of the profligate either recal them from what they propoſe, or diminiſh the ſtrength of our holy religion. Wherefore, beloved children in the Lord, with clemency having regard to your juſt requeſts, we take the ſaid Monaſtery of Wyteby, where you are engaged in the ſervice of Almighty God, under St. Peter's and our protection, and eſtabliſh you by the privilege of this preſent charter; firſt of all decreeing, that the order of Monks which hath always been known to reſide in that Monaſtery, obſerving the laws of God and rules of St. Benedict, be diligently and inviolaby preſerved: Alſo, that the poſſeſſions and goods which the ſaid Monaſtery at preſent juſtly and canonically poſſeſſes, or which it may for the future obtain, by the grant of Popes, the liberality of Kings or Princes, the oblation of faithful chriſtians, or by any other juſt ways and means, the Lord aſſiſting, may remain firm and untouched to you and your ſucceſſors. Among which we have thought good to mention the following by their proper names, viz. that place where the ſaid Monaſtery is ſituate, with all its appurtenances; the church of St. Mary at Wyteby, with its chapels of Fieling, Houkeſgard, Snetun, Ugelbardeby, Eſkedale, Aſolneby, and Duneſley, and the hermitage of Mulgrive; the church of St. Peter at Hakeneſſe, with its appurtenances; the church of Aton, with its chapels of Little-Atton and Newtun, and the chapel of Thorp; the church of Engelby, with the miln, and all their appurtenances; the church of St. Hilda at Midleſburg, with its appurtenances; the church of All Saints in Fiſhergate, with its appurtenances; the hermitage in Gotheland, with its appurtenances; the land of Perſicroft, with its appurtenances, being the gift of Alan Buſcel; two carucates of land at *Neutun on the Wald*, being the gift of William de Percy; two oxgangs of land in Uplium; the town of Sutfygeling, with its appurtenances; and your other poſſeſſions, whether in meadows or vineyards, in lands or foreſts, in eaſements or paſtures, in woods or plains, in waters or milns, in ways or paths, or in any other liberties and privileges. Let none preſume to exact or extort tithes from you for the new-tilled lands which you cultivate with your own hands, or at your own expence, nor for the food wherewith your animals are ſuſtained. Alſo it ſhall and may be lawful for you to receive into your Monaſtery, for their converſion, Clergymen or Laymen, free and unengaged, who forſake the world; and to retain them there without contradiction. Moreover, we forbid its being lawful for any of your fraternity, after making profeſſion in your Monaſtery, to leave the ſame without the Abbot's licence, unleſs they devote themſelves to ſome ſtricter order or habit of religion: Nor let any dare to take in ſuch as forſake your ſaid Monaſtery, without having cautionary letters from your chapter. When your kingdom ſhall lie under a general interdict, it ſhall and may be lawful for you, on ſhutting the doors, and excluding all excommunicated perſons, without ringing of bells, to celebrate divine ſervice in a low voice, ſo as not to be heard from without. For the pariſh churches which you have, it ſhall and may be lawful for you to preſent Prieſts to your Dioceſan Biſhop, to whom, on being found properly qualified, he ſhall commit the care of ſouls; and they ſhall be anſwerable to him for ſpirituals, but to you for their temporal revenues. Alſo we order the burying

burying ground in the ſaid place to be common, that there may be no oppoſition to the devotion or laſt will of thoſe who reſolve to be interred there, unleſs they be either excommunicated or interdicted perſons; ſaving nevertheleſs the right of thoſe churches from whom any dead bodies may be thus taken away. Now whilſt thou, or any of thy ſucceſſors, has the management of that place as Abbot, let no one be preferred there ſurreptitiouſly or violently, or any be admitted, unleſs ſuch as the brotherhood with common conſent, or at leaſt a majority of them of ſolid judgment, ſhall take care to elect according to the laws of God and rules of St. Benedict. We alſo ratify to you all thoſe liberties, antient privileges, and reaſonable cuſtoms granted to and heretofore enjoyed by your church, and confirm the ſame, that they may remain unaltered to you for ever. Alſo, being diſpoſed with a paternal care to conſult for your future peace and tranquillity, we prohibit, by apoſtolic authority, all manner of perſons from entering into your incloſures or granges, there to commit robbery or theft, to ſet the ſame on fire, to ſhed blood, to apprehend or ſlay any man unadviſedly, or to attempt the exerciſe of any violence whatſoever. Alſo we decree that it neither ſhall or may be lawful for any man raſhly to diſturb the ſaid Monaſtery, or to take away, keep, or diminiſh its poſſeſſions, or to harraſs the ſame with vexatious law-ſuits; but that all things may be preſerved intire for the management and ſupport of thoſe for whom they were intended, ſo as to be of the moſt uſe and advantage to them; ſaving the authority of the apoſtolic See, and the canonical right of your Dioceſan Biſhop. If any perſon therefore for the future, whether eccleſiaſtic or layman, knowingly and raſhly attempt to contradict this page of our conſtitution, let him be admoniſhed a ſecond and a third time; and unleſs he then correct his guilt, by making proper ſatisfaction, let him be deprived of his power, honour, and dignity, and know that by the judgment of God he ſtands condemned of perpetual iniquity, and ſhall be excluded from the moſt holy body and blood of our Lord and Redeemer Jeſus Chriſt, and at the laſt day be doomed to a moſt ſevere puniſhment. But to all thoſe who preſerve the rights of the ſaid place, be the peace of our Lord Jeſus Chriſt; may they in this world reap the fruits of their good actions, and from the juſt Judge receive at laſt the bleſſed rewards of eternal peace. Amen."

Notwithſtanding this, and all other charters hitherto granted to the Monaſtery of Whitby, for the confirmation of the church of Croſſeby-Ravenſwarth in the year 1236 the Abbot Roger and Monks of Whitby again applied to Rome, and obtained a new charter or bull for the ſame from Pope Gregory the ninth, as follows:

"BIſhop Gregory, a ſervant of the ſervants of God, to his well-beloved ſons the Abbot and Convent of the Monaſtery of Wyteby, of the order of St. Benedict, in the dioceſe of York, greeting, and apoſtolical benediction. When what is deſired from us is juſt and honourable, not only the courſe of equity, but alſo reaſon, induces us, through our paſtoral care, to lend a willing ear thereto: On which account, beloved children in the Lord, freely

freely aſſenting to your juſt requeſts, we take under St. Peter's and our protection, your perſons, and the Monaſtery of Witeby, where you are engaged in the ſervice of Almighty God, with all the goods which at preſent it rightfully poſſeſſes, or may for the future obtain, through the Lord's aſſiſtance, by any juſt ways and means; and particularly thoſe liberties and privileges, granted you, through a pious liberality, by the Kings and Nobles of England; with the lands, poſſeſſions, and other wealth granted you by William the Frenchman, or which you have canonically obtained by the liberality of other faithful chriſtians; as alſo the church of Craſſeby, which our venerable brother the Biſhop of Karliol, out of a pious and provident liberality, ordered you to ſupply with a perpetual vicar, who, for the time being, ſhould have a yearly allowance of ſeven and a half marks for his ſupport, and the diſcharge of the uſual burthens of the ſaid church, permitting you to retain all the remainder of its revenues in your hands for the proper uſes of your Monaſtery. And that you may obtain all theſe things juſtly and peaceably, for yourſelves and your Monaſtery, we confirm them to you by apoſtolic authority, and eſtabliſh your right to the ſame by the patronage of this preſent writing. Let none therefore attempt to infringe this page of our protection and confirmation, or dare with raſh attempt to contradict it; for be it known that he who preſumes to ſet it aſide will incur the indignation of Almighty God, and of the bleſſed apoſtles Peter and Paul. Dated at Interamium, on the thirteenth of the Kalends of July, in the tenth year of our pontificate."

Some further regulations were yet found neceſſary with regard to this church of Croſſeby-Ravenſwarth, which at laſt were properly made, in the year 1244, by Walter then Biſhop of Carliſle, as appears from the following charter:

96 "TO all faithful chriſtians who ſhall ſee or hear theſe letters, Walter, by divine mercy, a humble miniſter of the church of Karliol, greeting in the Lord. Leſt thoſe things which are eſtabliſhed for the perpetual peace and tranquillity of religious men might be eaſily ſet aſide by the will or judgment of any, we would have you particularly to know, that when the religious men, Roger the Abbot of Wyteby, and Convent there, ſpontaneouſly and abſolutely committed to our ordering the taxation of their vicarage church of Croſſeby-Ravenſwarth; we, having had deliberation thereon, and treating with the aforeſaid diſcreet perſons, and other credible men, about taxing the revenues of the ſaid church, order it in the following manner, viz. That the Vicar for the time being ſhall have all the ſmall tithes, with twenty acres of land, and two tofts before the gate which was formerly Richard de Camera's, which we aſſign over to him for his vicarage for ever, paying thence yearly to the ſaid Monks of Witeby twenty ſhillings, viz. half thereof every Martinmas, and the other half every Whitſuntide, and reſerving to the ſaid Monks the tithes for lamb and wool through the whole pariſh aforeſaid, together with two parts of the hay in all the lordſhip of the town of Mebrun: And that the Vicar for the time being in the ſaid church ſhall bear all ordinary

nary and uſual burdens, viz. ſynodals and archdeaconals; but in extraordinary aids, the Abbot and Convent of Witeby ſhall be anſwerable for their ſhare of the revenues, and the Vicar for his. Now this our written order we would have to be ratified and confirmed for ever; in teſtimony whereof we have cauſed our ſeal to be fixed to theſe preſents. Dated at Karliol, on the ſecond of the Kalends of April, in the twenty firſt year of our pontificate."

Having dwelt thus far upon the church of Croſſeby-Ravenſwarth, and ſaid much more about it than was at firſt intended, we muſt beg the reader's patience only a little longer, to inſert the other tranſactions that happened there during the reign of the Abbot Roger.

About the year 1235, "Roger ſon of Adam of Thirton, and Criſtiana his wife, releaſed, and by their charter quit-claimed to God, and the church of St. Peter and St. Hylda at Whiteby, and to the Monks ſerving God there, all right and claim that they had, or might have, to two oxgangs of land in the town of Croſſeby-Ravenſwarth, viz. thoſe two oxgangs which Silveſter formerly poſſeſſed, with a toft, and a croft, and all appurtenances. And that this their releaſe and quitting of claim might be confirmed for themſelves and their heirs, they ſet their ſeals to this deed, in the preſence of William, Vicar of Croſſeby; Michael, Dean of Weſtmoreland; Gilbert, then Earl of Appelby; Roland of Refeſgill; Walter of Reveſby; Walter his ſon; and others." 102

This ſame "Criſtiana, daughter of Silveſter of Croſſeby, in the time of her widowhood, gave up and quit-claimed, for herſelf and her heirs, all right which ſhe had, or might have, and which ſhe ſaid ſhe had to two oxgangs of land, with a toft and a croft, and their appurtenances, formerly poſſeſſed by her father Silveſter, in Croſſeby-Ravenſwarth, to the Abbot and Convent of Whiteby, to be held and poſſeſſed by the ſaid Abbot and Convent for ever, ſo that neither ſhe nor her heirs were afterwards to claim any thing there. Now this ſurrender, and quitting of claim, ſhe made to the ſaid Abbot and Convent on the feaſt of St. Laurence (*Auguſt 10th*) in the year of grace 1240, for one hundred ſhillings, which they gave her in her great neceſſity. Alſo ſhe and her heirs warranted the ſaid premiſes to the ſaid Abbot and Convent againſt all men for ever. But leſt it ſhould ſo happen that ſhe or her heirs (which God forbid) ſhould make any future attempts to ſet this ſurrender aſide, ſhe bound herſelf and her heirs, under the penalty of forfeiting one hundred ſhillings to the ſaid Abbot and Convent, and declared that no ſuch demand ſhould have power or force to profit or advantage them in any thing. In witneſs whereof ſhe ſet her ſeal to this deed, in the preſence of Michael of Morelund, then Dean of Weſtmoreland; William de Walden, then Vicar of Croſſeby; Gilbert of Kyrketon, then Vicar of Weſtmoreland; Walter of Meyburne, with his two ſons Walter and John; Rouland of Refegill; Alan of Berwys; Hugh of Colby; and others." 102

In the year 1243, "Thomas de Haſtyngs of Croſſeby-Ravenſwarth, brother to Nicholas Lord of Alverſtane, totally remitted, quit-claimed, and renounced for ever, to the Abbot and Convent of Whiteby, for himſelf and his heirs, all right and pretenſions whatſoever that he had, or appeared to have, 100

have, to the patronage of the church of Croſſeby. He hereby diſowned all claim thereto, and declared the Abbot and Convent of Whitby to be the real patrons thereof, to whom Torphine de Alverſtane and his heirs gave the right of patronage, together with two carucates of land, and their appurtenances, in Croſſeby-Ravenſwarth. In teſtimony whereof he ſet his ſeal to this letter patent, in the preſence of Robert, Lord of Aſkeby; John de Morevill; Thomas de Muſegrave; Thomas de Ellebet, Knights; Meſſieurs William de Goldington; Walter de Raveneſby; Richard de Beruſe; William Pynkenehie of Maybrume; Adam ſon of Vityng; and others."

As for King Henry III. he granted ſeveral charters to Whitby Abbey in the former part of his reign; the firſt of which was in the year 1220, wherein he "granted and confirmed to the Abbot and Monks of Whiteby, and their ſucceſſors, as far as was in his power to grant, for himſelf and his ſucceſſors, all thoſe liberties and privileges granted to them by former Kings of England, his predeceſſors; alſo ratifying and confirming to them all thoſe donations, grants, and confirmations, made to them from time to time by their other benefactors, as expreſſed in their ſeveral charters. Witneſſes, the venerable Father William, Biſhop of Coventry and Litchfield; Ralph, ſon of William; William le Latimer; William le Vavaſur; John de Crambwell; Henry Spigarnell; Henry de Scrope; Edmund de Malo Lacu, Seneſchal of our houſehold; Henry de Appelby; and others. Dated by our hand, at York, the 7th day of March, in the fifth year of our reign."

And again, in the year 1222, this ſame "King Henry III. for himſelf and his heirs, as far as was in his power, granted, ratified, and confirmed to the Abbot and Monks of Whiteby, and their ſucceſſors, all thoſe donations, grants, and confirmations, made them by their ſeveral benefactors; and particularly the grant, donation, quit-claiming, and confirmation, which William Malebis, the ſon of John Malebis, by his charter made to God, and the church of St. Peter and St. Hilda at Witeby, and to the Monks performing divine ſervice there, of one carucate of land in Fordon, with its appurtenances: As alſo all thoſe lands, tenements, ſubſtance, revenues, churches, tithes, poſſeſſions, liberties, and privileges, granted them by the pious liberality of faithful chriſtians, as the ſaid Abbot and Monks, and their predeceſſors, have always heretofore held and enjoyed them. Witneſſes, the venerable Fathers Walter, Archbiſhop of York, Primate of England, and F. Biſhop of Wincheſter, our Chancellor; John of Eltham, Earl of Cornwall, our dearly beloved brother; John de Warenne, Earl of Surry; Henry de Bellmont; Henry de Percy; Ralph de Nevill, Seneſchal of our houſehold; and others. Dated by our hand, at York, the 6th day of February, in the ſeventh year of our reign."

Again, in the year 1230, this ſame King Henry III. granted another charter to Roger the Abbot and Monks of Whiteby; but that being nearly in the ſame words with the charter granted by King Henry II. his grandfather, *(ſee page 136)* till we come at the confirmation of South Fyling, it ſeems unneceſſary to inſert it here; only we ſhall obſerve that it is witneſſed by "Richard, Archbiſhop of Canterbury; Richard de Lucy; Joceline de Dunavia; and

and Hugh de Creſſcy, at Winton: And afterwards by Walter, Biſhop of Karliol; Alexander, Biſhop of Coventry and Litchfield; L. Elect of Dublin; H. de Burgh, an Earl; Rauc', a Juſticiary; Stephen de Segrave; Ralph de Trubluit; Godfrey de Cravecombe; Gilbert Baſſett; John, ſon of Philip; Henry de Capella; and others; and dated by Ralph Biſhop of Chiceſter, and Chancellor, at Reading, on the 13th day of April, in the fourteenth year of his reign."

Notwithſtanding the above charters from King Henry III. wherein mention is made of William Malebys's giving a carucate of land at Fordon to Whitby Abbey, yet he does not ſeem to have been the real proprietor thereof, or actually to have made that donation, but only to have confirmed the ſame, as the heir at law, or next of kin, to a branch of the Buſhell family, who I apprehend were the original donors; for we find a record, wrote in the year 1222, to "inform all men, preſent or to come, that Richard de Boſhale 45
gave, granted, and by his charter confirmed, to God, and the church of St. Peter and St. Hilda at Witeby, and to the Monks ſerving God there, one carucate of land in the town of Fordun, with all its appurtenances, whether within the town or out of it, with all the men that poſſeſſed the ſaid land, and with all their ſuites, viz. Robert the ſon of Walter, with all his ſuite; William his ſon, with all his ſuite; Thomas the ſon of William, with all his ſuite; John the ſon of Suain, with all his ſuite; William the ſon of Levine, with all his ſuite; and Agnes a widow, with all her ſuite; for a free and perpetual alms, on their performing as much foreign ſervice for the ſame as belonged to one carucate of land, whereof ten ſuch carucates made a knight's fee. And the aforeſaid Richard and his heirs warranted the ſaid carucate of land, with its appurtenances, to the aforeſaid houſe at Witeby, and to the Monks ſerving God there, againſt all men, for ever. Witneſſes, John de Oketun, and John de Ruddeſtan, Knights; Geoffrey de Thoreny; Walter de Wartre; Robert ſon of Jurdan; Umfray Fox; Adam ſon of John of Sireburn; Ralph Noble; William Diſpenſarius," *(the Steward.)*

"In the year 1231, on St. Suthun's *(Swithin's)* day, before the honourable 69
Robert de Liſington, and Mr. Robert de Sergeſlane, at that time itinerant Juſtices, *(or Judges)* at Wyteby, an agreement was made between Roger then Abbot of Wyteby, and Thomas then Prior of Bridlington, through leave. And the agreement was thus: That the ſaid Prior ſhould renounce and quit all claim to the common right of paſturage which he had claimed of the aforeſaid Abbot in Hakenes, Silfhou, and Suthfeld, as belonging to his free tenement of Scalleby, Briningeſton, and Clocton, ſo that the ſaid Prior, and his ſucceſſors, ſhould have no demand or claim upon the aforeſaid Abbot on account of that tenement: And the ſaid Abbot, for himſelf and his ſucceſſors, ſhould give and grant to the ſaid Prior, and his ſucceſſors, common right of paſturage, from the Cow-houſe of the aforeſaid Prior in Haibrun, to Keſebec and Hellewath, for fifty cows, with their lawful produce till three years old, ſo that they might feed over all that paſture without watch or ward, to the aforeſaid bounders, but no farther: Yet no ſhepherd ſhould be allowed to enter into the ſaid paſture, in order to follow after or ward

them, though he might come there to fetch them out, and carry them away; but the aforeſaid Abbot might impound the ſaid cows if they fed there under the watch and ward of a ſhepherd. Reſerving however to the aforeſaid Abbot, thoſe cultivated cloſes, intakes, and meadows, which he had there before this agreement. Reſerving alſo to the ſaid Abbot five hundred acres within the aforeſaid bounders, which he might take in, cultivate, and purvey at his pleaſure; yet ſo as that the ſaid cows might have free ingreſs to and egreſs from the ſaid paſturage. The aforeſaid Abbot alſo, for himſelf and his ſucceſſors, granted to the ſaid Prior and his ſucceſſors, liberty to graze twenty brood mares, with their foals till three years old, in the ſaid paſturage, within the aforeſaid bounders, and further, whereſoever they would, without any lett or hindrance from the ſaid Abbot or his ſucceſſors. Now the ſaid Abbot granted this common right of paſturage to the aforeſaid Prior, and his ſucceſſors, to be held and poſſeſſed by them for ever, paying for the ſame annually to the ſaid Abbot and his ſucceſſors, one pound of wax, and one pound of incenſe *(liberi incenſi)* at Wyteby, on St. Hilda's day in autumn, for all ſervices. And it is hereby to be underſtood, that it ſhall and may be lawful for the ſaid Abbot, and his ſucceſſors, to incloſe, clear out, plough, and gather the produce of any part of this paſturage from the aforeſaid bounders of Keſebec and Hellewathd to Mirch-Eſc and Lithebec, without hindrance or claim from the aforeſaid Prior, or his ſucceſſors, notwithſtanding the common right which the ſaid Abbot hath granted to the ſaid Prior for the aforeſaid mares. Thus all diſputes and differences about the aforeſaid paſturage were ſettled, and a releaſe given by both parties for all damages: And, that this their agreement might remain firm and unalterable, the ſaid Abbot and Convent of Wyteby ſet their chapter ſeal to that record thereof made for the Prior and Convent of Bridlington; likewiſe the Prior and Convent of Bridlington ſet their chapter ſeal to that record thereof made for the Abbot and Convent of Wyteby."

75 About this ſame time, "a law-ſuit was begun between the Abbot Roger and Convent of Whiteby of the one part, and the Prioreſs Suſanna and Convent of Baſedale of the other part, about the tithes of corn for Ingleflat and Plumtreflat, in the territory of Nunthorp, and the tithes of the miln belonging to the aforeſaid Nuns in Nunthorp, and the tithes of a meadow alſo belonging to them in the ſaid territory; which tithes the ſaid Abbot and Convent demanded, as pertaining to their church of Aton. At length theſe differences were amicably ſettled, in a Chapter held for Clyveland, before Serlo the Archdeacon, and other diſcreet men, ſo that the aforeſaid Abbot and Convent gave away for ever, and quit-claimed to the ſaid Nuns, the tithes of corn in Plumtreflat, as alſo the tithes of the aforeſaid meadow; but the ſaid Nuns were to pay tithes for ever for their corn in Ingleflat, and for their miln at Nunthorp, to the mother church of Aton. In teſtimony whereof the Chapter ſeal of Whiteby, and the Prioreſs's ſeal at Baſedale, were ſet to two records, one of which was preſerved in each of the aforeſaid religious houſes."

It is alſo to the time of this Abbot Roger that I apprehend we ought to refer the following record:

"BE

"BE it remembered, that a law-ſuit having been heretofore begun be- 75
tween the Abbot and Convent of Whiteby, Rectors of the church of Aton, and Laurence de Wylton, Rector of the church of Stokeſley, in the time of Matthew Archdeacon of Cliveland, before Mr. J. Newerk his Official, and William de Bolleby a Dean in the Chapter of Clyveland, about a moiety of the tithes of lambs, wool, milk, and pigs, ariſing from the houſe of William then Lord of Tameton; the aforeſaid Abbot and Convent then receiving and poſſeſſing this moiety of the ſaid tithes, but the aforeſaid Laurence putting in a claim to the ſame, as of common right wholly belonging to his church of Stokeſley, becauſe the houſe from which the ſaid tithes came was ſituate within the limits of Stokeſley pariſh. At length a diligent inquiſition being made, as well about the poſſeſſion as right of the ſaid Abbot and Convent which they had to the ſaid tithes, on account of a paſture in the territory of Aton, where the cattle *(averia)* of the Lords of the ſaid houſe of Tameton grazed, it was decreed that the aforeſaid Abbot and Convent juſtly and lawfully received a moiety of the ſaid tithes as of right belonging to their church of Aton. But the diſpute about theſe ſame tithes being afterwards renewed by the Agents for Stephen, Rector of the church of Stokeſley, againſt the aforeſaid Abbot and Convent, in the times of Serlo, John, and Roger, Archdeacons of Clyveland, (Ralph Tameton, John the Phyſician, Walter de Mubray, and William his ſon, ſucceſſively poſſeſſing the town of Tameton) it was proved, by the evidence on oath of the Vicars and Chaplains belonging to the Chapter of Clyveland, that the before-named Abbot and Convent without all contradiction were entitled to a moiety of the ſaid tithes. In witneſs whereof J. Rector of the church of Loftus; Mr. J. de Newerk, Dean of Clyveland; William of Stokeſley, Rector of the church of Elvinton; and the Vicars of Kyrkeby, Ormeſby, Rudeby, Marton, and Merſk, ſet their ſeals to this record."

We have before acquainted the reader, (in page 151), that the Abbot and Convent of Whitby lett their land at Cayton to the Abbot and Convent of Rievalls, who had other land adjoining thereto. Theſe laſt incloſed among their own land a conſiderable part of that belonging to Whitby Abbey, and began to conſider it as their own property: But the Abbot Roger was too vigilant to permit ſuch an encroachment: He firſt complained, and that not having the proper effect, he commenced a law-ſuit againſt the Abbot Roger and Convent of Rievalls, with which they were ſo much intimidated, that, "in the year 1227, they engaged, by a written deed, that they would never take 39
in any more of the land or paſturage belonging to the freehold of the Abbot *and*
and Convent of Wyteby, without their leave and permiſſion firſt had. In 136
teſtimony whereof, and to confirm this deed, they ſet thereto their authentic ſeal, in the preſence of Mr. *(Domino)* M. Prior of Giſeburn; William de Thameton; William de Bart; Henry de Folketon; John, Seneſchal to Peter de Mauley; William, Seneſchal to the Lord Abbot of Whitby; Henry Barot; and others."

HAVING now given an account of the ſeveral Popiſh bulls obtained, royal charters granted, and law-ſuits carried on during the reign of the Abbot Roger, we ſhall next proceed to enumerate the many donations and benefactions that were in that period of time given to the Monaſtery of Whitby: And as we have nothing more to add concerning Croſſeby-Ravenſwarth, we will now come a little nearer home, and begin with recording the ſundry donations made to the church or cell at Middleburgh, in ſetting which down we ſhall pay little or no regard to the order of time, but take them as they come to hand in the Abbot's book.

23 "Walter de Colleby, influenced by divine piety, with the aſſent and conſent, and at the requeſt of his wife Margaret and his heirs, gave, granted, and by his charter confirmed, to God, and St. Hylda of Middleſburc, and to the Monks performing divine ſervice there, three acres of land in Colleby Field, viz. one rod to make a toft of, near the end of the town, on the ſouth ſide of Gunregate; and one acre near Laddegate, on the eaſt ſide of his tillage land; and three rods between Gunregate and Staynengs, towards the weſt; and one acre adjoining Gunregate, on the ſouth ſide of his tillage land; as alſo paſturage for two animals, *(probably cows)* one horſe, and ſix ſheep; to have and to hold the ſame for a free, pure, and perpetual alms. Witneſſes, William, Chaplain of Midleſburc; Gregory of Levinethorp, Thomas of Martun; William, ſon of Line; and others."

23 "Margaret of Colleby, in the time of her widowhood, when in her own free power, gave, granted, and by her charter confirmed, to God, and the church of St. Hylda at Mideleſburg, and to the Monks of Wyteby, for a free, pure, and perpetual alms, theſe three acres of land in Colleby Field, which were formerly granted them by her huſband Walter de Ribbeſtain, with all the appurtenances, paſturage, and eaſements belonging thereto, whether in the town of Colleby or out of it; as alſo free ingreſs and egreſs to and from the ſaid land, to till the ſame. Now Margaret, and her heirs, warranted theſe donations to the aforeſaid church, againſt all men, for ever. Witneſſes, Walter Galicien; William, then Chaplain of Midleſburg; William, Lord of Martun; Nichol of Aton; and others."

23 "Walter le Galicien of Tolleſby, gave, granted, and by his charter confirmed, to God, and the church of St. Hylda at Midleſburc, and to the Monks of Wyteby, for a free, pure, and perpetual alms, half an acre of land in Tolleſby Field, in his culture called Swarhouedwath, being on the weſtern ſide thereof, and running to the ſouthward; as alſo free ingreſs and egreſs to and from the ſaid land; for his own ſoul, and thoſe of his father and mother, and all his anceſtors and ſucceſſors. Now he and his heirs warranted the ſaid land, with all its appurtenances and eaſements, to the ſaid church, againſt all men and women, for ever. Witneſſes, Gregory of Levinethorp; Thomas of Martun; Nichol of Atun; William Thoſty; and others."

Some

Some time after this, the ſame "Walter Galicien, influenced by divine piety, gave, granted, and by his charter confirmed, to God, and the church of St. Hylda at Midleſburc, and to the Monks of Wyteby, for a free, pure, and perpetual alms, three acres of land in Tolleſby Field, in his culture called Northſuarthouedwath; and if there was any more land than three acres in the ſaid culture, he gave it up alſo to the ſaid church and Monks, with all the appurtenances, and other eaſements, whether in the town of Tolleſby or out of it, belonging to the ſaid land; for the ſalvation of his own ſoul, and thoſe of his anceſtors and ſucceſſors. Now the ſaid Walter le Galicien, and his heirs, warranted this land, with all its appurtenances, to the ſaid Monks, againſt all men, for ever. Witneſſes, Gregory of Levingthorp; Henry Ruff; William of Wyteby; and others." 24

"Robert Galicien of Marton gave, granted, and by his charter confirmed, to God, and St. Hylda of Midleſburc, and to the Monks performing divine ſervice there, for a free, pure, and perpetual alms, one and a half acre of land in Bracanehoe, with all that paſturage which belonged to him or his heirs in the ſaid Brachanehoe, reaching from the head land of Ralph Long, and lying from the eaſtern rivulet to the weſtern rivulet, with all the eaſements belonging to the ſaid land. Moreover he gave, granted, and by his charter confirmed to the ſaid Monks, half an acre of land in Brachanhoe, being that which his grandfather Ralph gave to God and St. Hylda of Midleſburc, for a pure and perpetual alms. Now the aforeſaid lands and paſturage Robert and his heirs warranted to the ſaid church and Monks, againſt all men, for ever. Witneſſes, Gregory of Levinethorp; Thomas of Marton; Hugh of Colleby; William ſon of Line; and others." 24

Afterwards the ſaid "Robert Galicien gave, granted, and by his charter confirmed, to God, and the church of Midleſburc, and to the Monks of Wyteby, for a free, pure, and perpetual alms, ſeven acres and a half of land in Marton field, viz. one acre and a half ſeparately in Brachanhou, and another half acre towards the weſt in the ſame Brachanhou, with paſturage belonging to theſe ſaid acres; alſo five acres and a half of arable land, and half an acre of paſturage belonging thereto, in that culture which is called Langelandes *(Long-Lands)*, adjoining to the aforeſaid Bracanhou, and neareſt to Alfelebricd, of all the cultures in his freehold, reaching in length from the boundary between the fields of Marton and Midleſburg, with all the paſturage belonging to him between the ſaid bounders and thoſe rivulets which on both ſides incloſe the tillage land and paſturage of Bracanhou and Langelandes, and with all other paſturage and eaſements belonging to theſe lands. And if it ſo fell out that the ſaid Monks were deſirous of incloſing the ſaid paſturage and tillage land, in the ſame manner as the reſt of Marton field, Robert and his heirs gave their conſent to warrant the ſame againſt all men, in every thing relating to them or their freehold. And it is hereby to be underſtood, that the ſaid Robert and his heirs by this charter confirmed to the ſaid church all thoſe lands, with their appurtenances and eaſements, whether lying in the town of Martun 24

Martun or out of it, or in any other part of his freehold, againſt all men, for ever. Witneſſes, Thomas of Marton; Nichol of Atun; Henry Ruff; William de Foxton; and others."

24 This ſame "Robert Galicien, for the ſalvation of his own ſoul, and thoſe of his anceſtors, gave, granted, and by his charter confirmed, to God, and the church of St. Hylda at Midleſburc, and to the Monks of Wyteby ſerving God there, the land which is called Houenam, lying between Weſtbec and Croſſebydale, and a meadow adjoining thereto, with all their appurtenances, for a pure and perpetual alms, free and clear from every ſecular exaction due to him or his heirs, for ever. And that this his donation might remain firm and ſtable, he ſet his ſeal to this deed, in the preſence of Gregory of Levinethorp; Thomas of Marton; Nichol of Atun; Henry Ruff; and others."

24 Moreover "Robert Galicien gave, granted, and by his charter confirmed, to God, and St. Peter and St. Hylda of Wyteby, and to the Monks performing divine ſervice there, three rods of land in Simundholm, lying between the land of Thomas the Clergyman *(Clerici)* which is on the ſouth ſide thereof, and the land of Roger de Eſtures, which is on the north ſide thereof, for a free, pure, and perpetual alms, for his own ſoul, and thoſe of all his anceſtors and ſucceſſors, with all privileges, eaſements, meadows, paſtures, and paſturage belonging to that land, whether in the town or out of it. Now Robert, and his heirs, warranted theſe premiſes to the ſaid Monks, againſt all men and women, for ever. Witneſſes, Ralph, Lord of Tameton; Gregory, Lord of Levinethorp; Henry Ruff; Reginald Bavus; and others."

This Robert Galicien was the ſon of Walter le Galicien, and ſeems by his name to have been of French extraction, though no anceſtor of his is to be found in Battel-Abbey Roll, as an adventurer with William the Conqueror.

25 "William of Marton, with the conſent of Robert his heir, gave, granted, and by his charter confirmed, to God, and the church of St. Hylda at Midleſburc, and to the Monks performing divine ſervice there, for a free and perpetual alms, two acres and a half of land, viz. two acres in Croſſebidale, and half an acre in Bracanhil; and alſo whatever pertained to his freehold in that paſture of Bracanhil which Hugh Malebys gave to the ſaid church *(ſee page 159.)* And as for the toft, he quit-claimed it to the church of Midleſbur, and to the Monks there, for ever. Now William and his heirs warranted and enſured theſe premiſes to the ſaid Monks againſt all men. Witneſſes, Roger de Maleſart; Jordan, a Deacon; William Ruff; Geoffrey of Areſum; and others."

27 "William Toſty gave, granted, and by his charter confirmed, to God, and the church of St. Hylda at Midleſburc, and to the Monks of Wyteby, for a pure and perpetual alms, half an acre of land in Brachanhoe, viz. that lying neareſt the ſun *(or moſt ſoutherly)* in the carucate which was his father William Toſty's; as alſo all the paſturage which belonged to him or his

his heirs in the aforeſaid Brachanhoe, without any reſtriction, with all the appurtenances and eaſements appertaining to the aforeſaid land. Now William Toſty, and his heirs, warranted this land to the ſaid church, againſt all men, for ever. Witneſſes, Gregory of Levingthorp; Walter Galicien, and Robert his ſon; Walter of Colleby; and others."

" Hyrp of Marton gave, granted, and by his charter confirmed, to God, 27
and the church of St. Hylda at Midleſburc, and to the Monks of Wyteby, for a pure and perpetual alms, two acres in Marton Field, viz. one and a half acre in Brachanehoeheuedlandes, *(Breckon Houe Head Lands)* be the ſame more or leſs, reaching from the Rivulet on the eaſt, to the Rivulet on the weſt; and half an acre in the ſaid Brachanehoe, with the paſturage and herbage belonging to the ſaid lands; and with all other paſturages, herbages, and eaſements, that belonged to him within, or any where about, the ſaid Brachanehoeheuedlandes, or the Langelandes; and with common right of paſturage, and all other eaſements and appurtenances belonging to that quantity of land, whether in the town of Marton or out of it, or in whatever other places lying. And if it ſhould ſo happen that the aforeſaid Monks were deſirous of incloſing the tillage land of Brachanehoe and the Langelandeheued ſeparately from the reſt of Marton Field, Robert and his heirs gave their conſent, and engaged to warrant the above donations and premiſes, againſt all men, for ever. Witneſſes, Walter Galicien; Thomas of Marton; Gregory of Levingthorp; and others."

" Roger de Eſtures gave, granted, and by his charter confirmed, to God, 25
and the church of St. Hylda at Midleſburc, and to the Monks of Wyteby, for a free, pure, and perpetul alms, whatever pertained to him, or his heirs, in that paſture and land at Brachanhoe which William Malebiſſe gave to the aforeſaid church; *(ſee page 159)* remitting, and quit-claiming for ever, for himſelf and his heirs, all right that he or they had to the ſaid land and paſturage at Brachanhoe: And this donation Roger, and his heirs, warranted againſt all men for ever. Witneſſes, Gregory of Levingthorp; William of Foxtun; Walter Galicien, and Robert his ſon; and others."

" Thomas, the ſon of Roger of Marton, gave, granted, and by his charter 26
confirmed, to God, and St. Hylda at Midleſburc, and to the Monks per- *and*
forming divine ſervice there, for a free, pure, and perpetual alms, four and 28
a half acres of land, viz. two and a half acres in Brachanhoe, and two acres in Croſſebidale, which the aforeſaid Monks poſſeſſed as an alms in the time of his father; with all the paſturage belonging to him, or his heirs, in the ſaid Brachanhoe, reaching from the head land of Ralph Long, viz. from the rivulet on the eaſt, to the rivulet on the weſt, with all the eaſements and appurtenances belonging to the ſaid land; for the ſouls of his father and mother, for his own ſoul, and theſe of his wife and children, and all his anceſtors. Now Thomas, and his heirs, warranted the ſaid land and paſturage to the aforeſaid Monks for ever. Witneſſes, William, Chaplain of Midleſburc;

William,

William, Chaplain of Marton; Gregory of Levingthorp; Henry Ruff of Aruſum; Robert Galicien; and others; *and elſewhere*; Walter, a Chaplain; Thomas, a Chaplain; Simon, a Prieſt; and others."

29 This ſame "Thomas, ſon of Roger of Marton, afterwards gave, granted, and by his charter confirmed, to God, and St. Hylda of Midleſburc, and to the Monks of Wyteby, for a free, pure, and perpetual alms, a toft and a croft, which Geoffrey, the ſon of Reginald, held of him in Eſtmarton, next the toft of William Stuteville, which lay on the ſouth ſide thereof; alſo one entire culture in Marton field, lying the neareſt to Alfelebrigge of all the land in his carucate, and containing, by eſtimation, eight acres, be the ſame more or leſs, ſituate between the freeholds of William Toſty and William Malebiſe, and reaching in length from the bounders of Ormeſby to the rivulet, or water on the weſt. Moreover, he gave and granted to the aforeſaid Monks four and a half acres of land, whereof two and a half acres lay in Brachanhoe, and the other two acres in Croſſebidale, which the aforeſaid Monks poſſeſſed as an alms in the time of his father; with all the appurtenances and eaſements belonging to the ſaid lands, whether in commons, paſtures, meadows, ways, paths, or any other things, in the ſaid town of Marton, or out of it. Furthermore, he gave and granted to them all the paſturage belonging to him and his heirs in Brachanhoe, without any reſtriction, as far as the bounders aforeſaid; and he, and his heirs, warranted the ſaid premiſes to the ſaid church, againſt all men and women, for ever. Witneſſes, Gregory of Levingthorp; Walter Galicien; Robert his ſon; William of Wyteby; Henry Ruff; William, Chaplain of Midleſburc; William, Chaplain of Marton, and others."

27 "Baldric of Aroſum, or Aruſum, influenced by divine love, for obtaining his eternal ſalvation, gave, granted, and by his charter confirmed, to God, and St. Hylda of Midleſburc, and to the Monks performing divine ſervice there, as a free, pure, and perpetual alms, ſix acres of land in his manor, viz. three and a half acres before the houſe of Geoffrey Blond of Midlesburc, and two and a half acres in Arnaldetofts. Witneſſes, William the ſon of Odo; William Ruff; Gregory the ſon of William; and others."

25 "Richard, ſon of Baldric of Aruſum, and his heirs, gave, and by their charter confirmed, to God, and St. Hylda of Wyteby, two acres of land lying between Igelman's and the way leading to the church of Midleſburc, at the end of the town of Levingthorp, for a pure and perpetual alms, for their own ſalvation, and that of all their anceſtors. And to ratify and confirm the ſaid donation, they ſet their ſeal to this record, in the preſence of William, the ſon of Odo; Gregory; John, Robert, and Geoffrey, his ſons; William Ruff; and others."

25 "Geoffrey of Areſum, the ſon of Matilda, gave, and by his charter confirmed, to the church of St. Peter and St. Hylda at Wyteby, and particularly to the church of Midleſbur, and to the Monks ſerving God there, one acre of land in Midleſbur, upon which John Herwatd built his dwelling-houſe,

houſe, for a pure and perpetual alms, for the ſouls of all his predeceſſors: And to this donation the witneſſes were Robert Ravenchil; Baldric, the ſon of Matilda; Jurdan, a Deacon; the ſon of John; and others."

"Henry Ruff of Aruſum gave, granted, and by his charter confirmed, 25
to God, and the church of St. Hylda at Midleſburc, and to the Monks of Wyteby, for a free, pure, and perpetual alms, all his culture of land, lying out of the town of Midleſburc, near the Croſs, which Roger Harald formerly held of him (except the moſt ſoutherly ridge thereof only, that Goſceline his homager held of him by hereditary right); containing by eſtimation ſix acres of land, be the ſame more or leſs. Now Henry Ruff, and his heirs, warranted and enſured the ſaid land to the aforeſaid church and Monks, againſt all men, for ever. Witneſſes, Adam, a Chaplain; Gregory of Levingthorp; William Cuſin; Roger Harald; and others."

"Stephen of Blaby and Avice his wife, for their own ſalvation, and that 25
of their anceſtors, gave and confirmed to God, and the church of St. Hylda at Midleſburc, and to the Monks performing divine ſervice there, for a pure and perpetual alms, the homage of the ſon of Thomas, with all his ſuite, for ever, ſo that into whatever part of the world they might come they ſhould always remain free from the ſaid Stephen and his heirs. And that this donation might be ratified for ever, they ſet their ſeal to this record, in the preſence of Engelram, Lord of Bovington; Gregory of Levingthorp; Thomas of Marton; William Galicien; and others."

"William of Hacclum, or Aclum, with the conſent of his wife and 25
ſons, granted, and by his charter confirmed, to the church of St. Peter and St. Hylda of Wyteby, and to the Monks ſerving God there, for a pure and perpetual alms, free and clear from all ſervice, a toft of four acres, which was Godvine's, ſituate in Midleſburc, that his mother Cecily gave to the aforeſaid church. Witneſſes, Robert de Coyneris; William, ſon of Odo; Arnulf, ſon of Muriel; and many others."

"Peter, the ſon of Robert of Clivelande, granted, and by his charter 26
confirmed, to God, and the church of St. John the Baptiſt and St. Hylda at Midleſburc, and to the Monks performing divine ſervice there, the donation which Ralph his uncle made them of his land in Ormeſby field, lying between the land of the aforeſaid Monks and that belonging to the Prior of Giſeburn: That they might have and hold the aforeſaid land according to the tenor of the charter which they had from the ſaid Ralph; and that Ralph's donation and Peter's confirmation of theſe premiſes might be ratified and eſtabliſhed for ever, the ſaid Peter ſet his ſeal to this record. Witneſſes, Roger Loſte; Thomas of Marton; Peter of Cleivelande; and others."

"Ralph, the ſon of Robert of Clevelande, gave, granted, and by his char- 26
ter confirmed, to God, and the church of St. John the Baptiſt, and St. Hylda

at Midleſburc, and to the Monks performing divine ſervice there, as a pure and perpetual alms, all that part of his land which his brother Robert gave him in Ormeſby field, lying between the land that his father gave to the ſaid Monks and that belonging to the Prior of Giſeburn, to have and to hold the ſame freely and quietly in all things. Now the ſaid Ralph, and his heirs, warranted and acquitted this land from all exactions or demands that might be brought againſt the ſame by any perſon whatever. Witneſſes, Walter de Percy; Robert of Leſſingby; and others."

28 "Robert, the ſon of Henry, the ſon of Rooe of Ormeſby, influenced by divine piety, gave, granted, and by his charter confirmed, to God, and St. Peter and St. Hylda of Wyteby, and to the Monks performing divine ſervice there, for a free, pure, and perpetual alms, eight acres of land in Ormeſby field, viz. three acres in Buirtreſtub, and whatever more he might have there; two acres near Laddegate, one acre in Blalandes, one acre in Forneflat, and one acre between the town of Caldecotes and the ſea, with a toft and a croft which Oſgot formerly held of Henry his father in Ormeſby town. Moreover, he gave, granted, and by his charter confirmed to the ſaid Monks, as a pure and perpetual alms, what meadow ground he had at Ketelpittes, whether to the eaſtward or weſtward. He alſo gave and granted to them another meadow in Peſelandes, being all that pertained to him there, whether to the eaſtward or weſtward, with all the appurtenances and eaſements belonging to theſe premiſes, whether in the town of Ormeſby or out of it, for his own ſalvation, and that of his anceſtors and ſucceſſors. And it is hereby to be underſtood, that the ſaid Robert, and his heirs, warranted the aforeſaid eight acres of land, the aforeſaid toft and croft, with the aforeſaid meadows and their appurtenances, to the aforeſaid Monks, againſt all men, for ever. And that this donation might remain ſtable and firm, he ſet his ſeal to this record, in the preſence of William of Tamton; Robert of Laiſingby; Walter of Marton; Robert of Tunſtal; and others."

28 "Walter de Percy, for the ſalvation of his own ſoul, and that of all his friends, as alſo for the ſouls of his father and mother, and theſe of all his anceſtors, granted and confirmed to God, and the church of St. Peter and St. Hylda the virgin at Wyteby, and to the Monks performing divine ſervice there, for a pure and perpetual alms," all theſe premiſes mentioned in the laſt charter, "free and clear from every ſervice or ſecular exaction due to him or his heirs, for ever. And that this his confirmation might be eſtabliſhed, he ſet his ſeal to this record, in the preſence of Ralph of the New Town, or Ralph Nevill *(Nova Villa)*; Walter de Camera; Robert of Acclum; Robert of Barneby; and others."

26 "Roger Saunt of Thormodeby gave, granted, and by his charter confirmed, to God, and the church of St. Hylda at Midleſburc, and to the Monks performing divine ſervice there, for a free, pure, and perpetual alms,

alms, one toft in the town of Thormodeby, out of his capital manor, lying next that of Robert Saunt towards the ſouth, with all its appurtenances and eaſements, whether in the town of Thormodeby or out of it. Now this toft he gave them in exchange for that which his father Thomas Saunt had formerly given them towards the north: And the ſaid Roger and his heirs warranted this ſaid exchange to the aforeſaid Monks, againſt all men, for ever. Witneſſes, Gregory of Levingthorp; Henry Ruff; William Cuſin; William, then Chaplain of Midleſburc; and others."

" John Yngelram, and Robert the ſon of Erniſius, and Adeline the daughter of Yngelram, gave and granted to God, and St. Hylda of Midleſbur, ten acres of land called Moreſdal, for a perpetual alms, for their own ſouls, and thoſe of their anceſtors, free and clear from every ſecular ſervice or exaction, which Robert Ravenkil and William his ſon delivered to them, and along with them offered up on the high altar of St. Hylda at Midleſburc before many witneſſes, among whom were preſent Jordan, Prieſt of Aclum; Gosfride de Boſco; Roger, a Clergyman; Godefride Hay; and others." 26

" John Ingeram *(or Yngelram)*, and Robert the ſon of Erniſius, his ſon-in-law and heir, gave and granted to the church of St. Peter and St. Hylda at Wyteby, and to the Monks ſerving God there, nine acres of land on the hill near Midleſburc, and two tofts in that town, with common right of paſturage in the Fitts, for a perpetual alms, free, clear, and quiet from every ſecular ſervice or exaction. Witneſſes, the brother of Roger the Sacriſt; William of Tamtun; Hugh of Hunceley *(Huncliff)*; and others." 27

This ſame " John Ingeram gave and granted to the church of St. Hylda at Midleſburc, and offered up on the high altar there, for a perpetual alms, nine acres of his land lying near the land of the holy Virgin *(Hylda)*, ſo free and clear from every ſervice, that no alms could be more freely given to any church, or more freely poſſeſſed thereby. Of which donation this charter was a witneſs; and alſo Roger, Prieſt of Atun; Jurdan, a Clergyman; Thocch of Midleſburc; and others." 27

" Gregory of Levingthorp gave, granted, and by his charter confirmed, to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Monks performing divine ſervice there, for a pure, perpetual, and free alms, five acres of arable land, viz. one acre lying near Umfraiflat and the King's highway, and butting upon Addocflat, and the other four lying among that tilled land of the Lord Abbot of Witeby which is neareſt the paſſage. Now the ſaid Gregory, and his heirs, warranted and enſured this donation, grant, and confirmation, to the ſaid Monks, for a perpetual alms, againſt all men, for ever. In witneſs whereof he ſet his ſeal to this record, in the preſence of Roger and Richard, then Chaplains of Witeby; William Buſcel, and Robert his brother; William of Everlay; Richard of Figeling; 44

Figeling; Roger of St. Botolf's; Henry Ruff, and John his brother; Ralph ſon of William of Midleſburg; and others."

29 "William, ſon of Richard, ſon of Acceline of Levingthorp, influenced by divine piety, gave, granted, and by his charter confirmed, to God, and the church of St. Hilda at Midleſburc, for a free, pure, and perpetual alms, three perches of land in that town field, viz. upon the banks of the Tayſe, in that culture lying between the tillage land of the Prior of Giſeburn and Caldecotes miln, with all the appurtenances and eaſements belonging to that land. Now William, and his heirs, warranted and enſured the ſaid land againſt all men for ever, for the ſalvation of their own ſouls, and theſe of their anceſtors. Witneſſes, Gregory of Levingthorp, and Geoffrey his brother; William Cuſin; and others."

29 "William, ſon of Line of Levingthorp, influenced by divine piety, with the conſent of his heirs and anceſtors, gave, granted, and by his charter confirmed, to God, and the church of St. Peter and St. Hylda of Wyteby, and to the Monks of that place, for a free, pure, and perpetual alms, two acres and a half of land in Peniordale, in Areſum and Midleſburc field, viz. thoſe two acres and a half of land lying moſt ſoutherly in that half carucate which was Geoffrey de Areſum's, his uncle: Moreover, he gave and granted them, for a pure and perpetual alms, one rod and a half of land in Wandailes, upon the river Taiſe, on the eaſt ſide of Midleſburc, which alſo belonged to the ſame half carucate of land; with all their appurtenances and eaſements, whether in the town of Areſum or out of it, or in whatever part ſituate of the twelve carucates of land belonging to that town. And it is hereby to be underſtood, that the ſaid William, ſon of Line of Levingthorp, and his heirs, warranted and enſured theſe premiſes, with their appurtenances and eaſements, to the aforeſaid Monks of Wyteby and thoſe at Midleſburc, againſt all men, for ever, in whatever part of the ſaid twelve carucates ſituate. Witneſſes, Gregory of Levingthorp; Henry Ruff; William Cuſin; William, Chaplain of Midleſburc; William, Chaplain of Marton; and others."

By the preceding numerous donations and charters granted to the church of Middleburgh, the reader may eaſily perceive what univerſal eſteem and veneration the whole country there had for the Abbot Roger, who in his younger years had lived among them. Nor does he ſeem elſewhere to have had a leſs character; for, which way ſoever we turn our eyes, we find the rich and opulent vying with each other in ſhewing their liberality, by the many benefactions then made to Whitby Abbey during the time of his reign. In order to ſet this in a clear light, we ſhall now proceed to Aton, Kirkeby, and other places that lie in the way from Cliveland to Whitby.

44 "Hugh, ſon of Gerard of Aton, gave, granted, and by his charter confirmed, to God, and the church of St. Peter and St. Hylda at Wyteby, and to

the Monks performing divine ſervice there, for the ſalvation of his own ſoul, and theſe of his anceſtors, as a free, pure, and perpetual alms, four acres, one rod and a half, and two perches of land, with its appurtenances, in Aton, free, clear, and quit from every ſecular ſervice or exaction, ſo that no land could be given more freely or clearly, viz. one fourth of his croft, one fourth of his land in Larelandes, one fourth of his land in Whitflat, and one fourth of his land in Gretlandes, with all their appurtenances, whether in woods or plains, in ways or paths, in meadows or paſtures, or in any other liberties or eaſements belonging thereto. Now Hugh, and his heirs, warranted the aforeſaid lands, to God and the aforeſaid Monks, againſt all men. Witneſſes, Robert de Stutevill; Roger de Boſco; Ralph of Snetun; Thomas of Skipwick; and others."

"John of Aton gave, granted, and by his charter confirmed, to God, 44
and the Monks of St. Hylda at Wyteby, for the ſalvation of his ſoul, as a free, pure, and perpetual alms, five oxgangs of land in the territory of Yrton, viz. thoſe which he held of the Lord *(Domino)* Richard de Percy, with five tofts and five crofts belonging to the ſame, and with all other appurtenances and eaſements, whether in the town or out of it, to have and to hold the ſaid premiſes free, clear, and quit from every ſervice or ſecular exaction, ſo that no alms could be more freely given to God and the aforeſaid religious men. Now John, and his heirs, warranted the aforeſaid five oxgangs of land, five tofts, and five crofts, to the ſaid Monks, againſt all men, for ever. Witneſſes, Gilbert of Aton; William Buſcel; Godefrid de Antervic, and Richard his brother; and others."

"Ralph, ſon of Baldewine of Bramhop, through a motive of charity, for 56
the ſalvation of his own ſoul, and thoſe of his predeceſſors and ſucceſſors, *and*
gave, granted, and by his charter confirmed, to God, and the church of 60
St. Hylda at Wyteby, and particularly to the Infirmary belonging to that houſe, for a pure and perpetual alms, an yearly revenue of five ſhillings, to be received out of his land at Aton, in the vale of Pickeringh, every year on the feaſt of St. Martin in winter, which ſaid land Laurence the ſon of Daniel held of him there by inheritance. Now Ralph appointed the ſaid Laurence and his heirs to perform this his ſaid alms to the ſaid houſe for ever: And the ſaid Laurence, for himſelf and his heirs, by touching the holy Evangeliſts, ſwore that without contradiction or difficulty he would faithfully pay the ſaid revenue of five ſhillings to the aforeſaid houſe every year for ever, upon the aforeſaid feaſt, as a pure and perpetual alms; and Ralph warranted it for ever againſt all men, to be free and clear from every ſecular ſervice and exaction. Now that his donation might be ratified to poſterity, and remain confirmed, he ſet his ſeal to this record, in the preſence of Ralph Nuvel; Adam, Prieſt of Hakenes; John, a Canon of the Chapel; John Arundel; and others."

"Lawrence, ſon of Daniel of Aton, and his heirs, obliged themſelves 64
to pay yearly to the infirmary of Wyteby Abbey five ſhillings on the feaſt of

of St. Martin, by the aſſignation of Ralph the ſon of Baldewine his Lord, out of thoſe ten ſhillings which he uſed to pay yearly to the ſaid Ralph for ſeven oxgangs of land in Aton. Which five ſhillings the ſaid Ralph gave to the ſaid infirmary for ever, as an alms, to be received yearly at the aforeſaid term from the ſaid Lawrence and his heirs for ever. And Lawrence promiſed, by affidavit, for himſelf and his heirs, faithfully to obſerve this agreement, and to pay the ſaid five ſhillings for ever. Witneſſes, Walter de Bonivento; Gilbert of Aton; Alan Buſcel; Gervaſe de Preſton; Mr. Walter of Driffiel; and others."

114 "Stephen de Meinell gave, granted, by his charter confirmed, and quit-claimed, for himſelf and his heirs, for ever, to God, and the church of Great-Aton, and to the Abbot of Whiteby, Rector of that church, for the ſalvation of his own ſoul, and that of his anceſtors and ſucceſſors, William Cokelun of Aton, with all his ſuite, as a pure and perpetual alms, free and clear from every exaction and demand of ſecular ſervice which might be required or thought of. In teſtimony whereof he ſet his ſeal to this record, in the preſence of Adam of Hylton; John de Mare; Stephen Orner; William de Malteby; William de Mydilton; Adam, a Smith; Thomas, a Chaplain; Nichol, ſon of Peter *(of Aton)*; Walter Brenhand; Nichol Mercand, *(the Merchant)*; Henry, a Clergyman; Walter, a Clergyman; and others."

116 "John, ſon of Hugh of Aton, gave, granted, and by his charter confirmed, to God, and bleſſed Peter and St. Hilda of Whiteby, and to the Abbot and Convent there, as a pure and perpetual alms, for the ſalvation of his own ſoul, and that of his anceſtors and ſucceſſors, the homage and ſervice of Nichol, ſon of Peter of Aton, and his heirs, with a toft, and all the land that he gave to the aforeſaid Nichol, and his heirs, for his homage and ſervice in the town of Aton, as expreſſed in the charter which the ſaid Nichol had from the ſaid John; as freely and quietly as any alms can be given. Now John, and his heirs, warranted theſe premiſes to the Abbot and Monks of Whiteby, againſt all men, for ever: In witneſs whereof he ſet his ſeal to this record, in the preſence of Lord Robert de Stutevill; Roger de Boſco, his vaſſal or ſoldier, *(Milite ſuo)*; Hugh of Hotun; Reginald de Roſell; Ralph de Nevyll; William de Mauteby; William de Tocots; Roger, Parſon of Semar; Thomas, a Chaplain; Walter of Hoton; Walter of Marton; and many others."

119 "Roger, by the grace of God, Abbot of Whiteby, granted, and by his charter confirmed, to William Nunde, a toft and a croft, in the town of Bradeſby, viz. that toft which lay next to the land of Nichol of Aton on the eaſt: To have and to hold the ſame, during the term of his life, freely, quietly, peaceably, and honourably, on paying yearly for all ſervice eighteen pence, at two terms, viz. half at Whitſuntide, and the other half at Martinmas.

Martinmas. Now the ſaid William Nunde might build upon the ſame, and enjoy that houſing; but the term of his natural life being ended, the ſaid land was to return again quietly to Whiteby Abbey, with all the buildings. And if it ſhould ſo happen that any belonging to Whiteby Abbey were minded to ſet aſide this grant and donation, the aforeſaid William might carry away all his buildings. And for the ratifying and confirming the ſaid grant, the Abbot Roger ſet his ſeal to this record, in the preſence of William, then his Seneſcal; Nichol of Aton; William of Walden; William of Reimeſwel; Robert Criſp; John of Yrton; and many others."

"Roger, by the grace of God, Abbot of Whiteby, and the Convent there, granted, and by their charter confirmed, to Adam Cannator *(probably the Chanter)* of Bateſby, and the heirs iſſuing from him, a toft and a croft in the town of Bateſby, lying next to the land of Nichol of Aton on the eaſt: To have and to hold the ſame by inheritance of Whiteby Abbey, on paying yearly eighteen pence at two terms, viz. half at Whitſuntide, and the other half at Martinmas. In teſtimony whereof they ſet their chapter-ſeal to this record, in the preſence of Roger, Vicar of Kirkeby; Walter, a Clergyman; Peter of Aton; Nichol Marchand *(the Merchant)*; and others." 119

"Idonea, formerly wife of William Lamb, gave, granted, and by her charter confirmed, to God, and the church of St. Peter and St. Hilda at Wyteby, and to the Monks ſerving God there, for a pure and perpetual alms, for the ſalvation of the ſoul of her Lord William Lamb, and for the ſalvation of her own ſoul, and that of her anceſtors, the land adjoining to that which was Richard de Camera's, which her ſaid Lord William aſſigned her for a dowry of forty ſhillings before the door of the church of Whiteby. Now this land was to be free and clear from Idonea and her heirs for ever; but if it ſo happened that any of her heirs claimed the ſame, they ſhould fully pay to the church of Whiteby the aforeſaid forty ſhillings which was due to Idonea for her dower, and then enter upon the ſaid land without further contradiction. And that this her donation, grant, and confirmation might be ratified, ſhe ſet her ſeal to this record, in the preſence of Thomas of Dunſlay, a Prieſt; Maurice, Prieſt of Aſolby; William de Foxtun, then Seneſcal to the Lord Abbot Roger; and others." 59

"Robert of Hyrton, with the aſſent and conſent of Helhenor his wife and William his heir, gave, granted, and by his charter confirmed, to God, and to the church of bleſſed Peter and St. Hylda at Wyteby, and to the Monks performing divine ſervice there, for a free, pure, and perpetual alms, two oxgangs of land in the territory of Hirton, and one toft eight perches broad, reaching in length from the way to Bukeſhoudic, and adjoining the toft of widow Emma on the weſt, which Aſtine poſſeſſed, viz. thoſe two oxgangs of land, whereof Emma, formerly wife of Thomas, poſſeſſed one, and Richard, ſon of William, the other: lying between the land of 42

of Adam Tuſchet and his own manor land, through the whole field: To have and to hold the ſame freely, quietly, and abſolutely, with its meadows and paſtures, its commons and other eaſements belonging thereto, without any exaction or ſecular ſervice, ſo that no alms might be more freely poſſeſſed or held, and without any reſtriction from him or his heirs. Now Robert, and his heirs, warranted and enſured the ſaid donation to the aforeſaid Convent of Wyteby, againſt Lords, and Kings, and all men, in all things that could happen with regard to exactions and demands, for ever. Witneſſes, Gilbert, Lord of Aton; William Buſcel; John de Alverſtan; William Malekake; and others."

43 "Roger, by the grace of God, Abbot of Wyteby, and the Convent there, gave, granted, and by their charter confirmed, to Roger, the ſon of Francis of Irton, and his heirs, five oxgangs of land in the territory of Irton, with their appurtenances, whether in the town or out of it, viz. thoſe which they poſſeſſed by the gift of John, Lord of Aton; *(ſee page* 189*)* paying yearly for the ſame half a mark of ſilver, viz. half thereof at Whitſuntide, and the other half at Martinmas, for all ſervices pertaining to Wyteby Abbey. Now the ſaid Abbot and Convent warranted theſe premiſes to the ſaid Roger and his heirs as long as their benefactors, who gave them to Wyteby Abbey, could warrant the ſame to them. And in teſtimony of this their donation, they ſet their chapter ſeal to this grant, in the preſence of Gilbert of Aton; William Buſcel; Robert of Irton; William his ſon; and others."

20 "Robert, the ſon of Robert Clerk, or Robert the Clergyman, *(Roberti Cleri)* for the ſalvation of his own ſoul, and that of his heirs, gave, granted, and by his charter confirmed, to God, and St. Peter and St. Hylda, and the Sacriſt of Wyteby, for a pure and perpetual alms, one acre of land in the territory of Huplium, *(Upleatham)* viz. half an acre at Hellewaldeſſceld, and half an acre adjoining the way to Lium; free and clear from every ſervice and ſecular exaction. Now Robert and his heirs warranted this land to God, and St. Peter and St. Hylda, and the Sacriſt of Wyteby, againſt all men, for ever. Witneſſes, William Buſcel; William of Tochotes; Walter of Samar; Alan de Percy; and others."

58 "Stephen de Roſel, and Iſabella his wife, quit-claimed, ſurrendered, and reſigned to the venerable men, their Lords, the Abbot and Convent of Wyteby, all the tenement which they had, or might have, in that land which they held of them in the territory and town of Livertun, for themſelves and their heirs, for ever. Now they ſwore and made affidavit, by touching the moſt holy Evangeliſts, that they would faithfully and inviolably obſerve this reſignation and quitting of claim, for themſelves and their heirs, for ever, before the underwritten witneſſes, in the Chapter-houſe of Wyteby, viz. Roger, Chaplain of Wyteby; Mr. Hugh de Foſtun; William de Rimeſwell; Roger of St. Botulf's; and others."

"Henry,

" Henry, Chaplain of Stokeſley, gave, granted, and by his charter con- 58
firmed, to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Monks performing divine ſervice there, for a moſt free, pure, and perpetual alms, the nurſery of young trees *(virgultum)* which he had in the town of Engelby; as alſo a toft, with all his ſpring of wood towards the north, and all his land without the church-yard, from the bridge leading to Grenehou, to the way which leads to Stokeſley, with all the appurtenances and eaſements belonging to that land, whether in the town or out of it, to find a light and incenſe in the church of St. Andrew at Engelby. Witneſſes, Mr. Ralph of Haraby; Mr. Hugh; Roger Arundel; Andrew of Duneſley; Nichol of Aton: Adam Barn; and others."

" Jordan of Rouceby gave, granted, and by his charter confirmed, to 59
God, and the church of St. Peter and St. Hylda at Wyteby, and to the Monks performing divine ſervice there, for a pure and perpetual alms, one oxgang of land in the territory of Rouceby, without toft or croft, except one perch of land which Geoffrey Veautrer poſſeſſed by marriage *(in maritagio)*, for which he gave them in exchange one perch of land in Rammeſdey, next the ten perches of the Lord Earl of Albemarlie, reaching from the croft of Nicholas the ſmith as far as Houtland; viz. that oxgang which lies next the land of Thomas the ſon of Martin; to have and to hold the ſame, of him and his heirs, as freely and quietly as any alms can or may be given, free from all county ſervice, wapentage, or whatever elſe pertains to a laical court; with all its appurtenances, privileges, and eaſements, whether in woods or plains, in meadows or paſtures, in going out or coming in, and in all ways and places, in the town or out of it, without reſtriction or impediment. Now Jordan, and his heirs, warranted this land, to God, and St. Peter and St. Hylda, and to the Monks of Wyteby, and enſured the ſame from all ſervices, ſecular exactions, or demands, againſt all men, for ever. Witneſſes, William Malekac; Adam ſon of Thomas; John ſon of Gilbert; William ſon of Alan; Geoffrey Wautrer; and others."

" William Wirfanc gave, and by his charter confirmed, to God and St. 21
Hilda, and the Monks of Wyteby, four perches of land in breadth, and four perches in length, out of a meadow in Gildehus tofts, above the way between Hilderwelle and Elverdeby *(Ellerby)*, as a pure and perpetual alms, for the ſouls of his father and mother, and theſe of his anceſtors; to have and to hold the ſame of him and his heirs, free and clear from every ſecular ſervice. Now William, and his heirs, warranted the ſaid ground to the aforeſaid Monks, againſt all men, for ever. For the confirming of which donation, he ſet his ſeal to this record in the preſence of William of Galmeton; Robert of Acclum; Robert of Barneby; Gregory of Neuton; and others."

" Michael the Prior, and Convent of Giſeburn, obliged themſelves to 21
pay every year, at Whitſuntide, to the Abbot and Convent of Wyteby, ten

quarters of merchantable wheat, at Aruſum, or at Merſc, in Cliveland, as they chuſed to appoint, for the tithes which they had been uſed to receive from their manors of Upplium and Merſc, and which they allowed the Prior and Convent at Giſeburn to hold of them for ever, on paying them the aforeſaid rent: But if in any year the ſaid Prior and Convent neglected to pay them the aforeſaid corn, then it ſhould and might be lawful for the aforeſaid Abbot and Convent of Wyteby again to take poſſeſſion of the ſaid tithes, and to do therewith as they thought proper, without any contradiction or impediment from the Prior and Convent of Giſeburn. Witneſs, the Chapter of Giſeburn."

40 "Gilebert, Parſon of Thorneton, and ſon of Alan the foreſter, gave, granted, and by his charter confirmed, to God, and the church of St. Peter and St. Hilda at Witeby, and to the Monks performing divine ſervice there, as a pure and perpetual alms, for the ſalvation of his own ſoul, and theſe of his anceſtors, all that land in the town of Thornton which he bought of Ralph Bardolf, and which William the lame man poſſeſſed, lying between the tofts of Walter the ſon of Reginald and Wilddemiln *(William of the miln)*. Now his ſon John, and Yſode his mother, were to poſſeſs all the aforeſaid land, as long as they lived, on paying for the ſame twelve pence yearly, viz. ſix pence every Whitſuntide, and ſix pence more every Martinmas; and after the death of the ſaid John and Yſode his mother, or change in their way of life, the ſaid land was to remain to the church of Wyteby, free, clear, and quit from every ſecular exaction, for ever, with all its appurtenances and eaſements, whether in the town or out of it. Witneſſes, Mr. Hugh of Foſtun; Robert of Bedingham; William ſon of Huel; Andrew of Duneſley; Reginald the Mercenary; and many others."

20 "John of Thorneton, ſon of Gilebert, Parſon of Thornton, and Yſoude, mother of the ſaid Gilebert," confirmed the above donation; and for that purpoſe "ſet their ſeals to a record, in the preſence of Roger, a Chaplain; Mr. Hugh of Foſtun; William of Waleden; and others."

117 "Roger, by the grace of God, Abbot of Whiteby, and the Convent there, demiſed and granted to Mr. Richard, ſon of Mr. Hugh of Hoton, the toft and croft which Mr. Humfrid, father of the ſaid Hugh, gave to the church of Whiteby, for the ſalvation of his own ſoul, and thoſe of his anceſtors and ſucceſſors, *(ſee page* 160*)*, for which he was to pay twelve pence yearly, viz. half of the ſaid ſum at Whitſuntide, and the other half at Martinmas. And if the ſaid Richard had no heirs by him begot, then the ſaid toft and croft, with the buildings thereon, after his death, were quietly to return and revert to the church of Whiteby. In teſtimony whereof the chapter ſeal of Whiteby, as alſo the ſeal of the ſaid Richard, were ſet to this record, in the preſence of Mr. William of Tocotes; Stephen de Roſell; John of Toccotes; Thomas of Haukeſgarth; Richard of Fyelynge; Roger of Hyrton; and many others."

"Michael

" Michael Noreys of Schirpenbec, for the ſalvation of his own ſoul, and thoſe of his anceſtors, gave, granted, and by his charter confirmed, to God and St. Hilda, and the Convent of Wyteby, free ingreſs and egreſs for them and theirs through his land, viz. on the north ſide of the little marſh, near the land belonging to Schirpenbec, to the way leading to the river, and along that way to the river of Schirpenbec, for a free, pure, and perpetual alms. Now Michael, and his heirs, warranted the ſaid paſſage to God and St. Hylda, and the Convent of Wyteby, againſt all men, for ever. Witneſſes, Walter de Cancy; Robert Murdac; Roger de Cancy; Walter de Catton; William de Barkeſton; Ralph Burdon; William de Foxtun, at that time the Abbot's Seneſchal; Peter Breton; and others." 13 *and* 123

" William, ſon of Hugh of York, gave, granted, and by his charter confirmed, to God, and St. Hylda of Wyteby, and to the Monks performing divine ſervice there, for the ſalvation of his own ſoul, and theſe of his anceſtors and ſucceſſors, a certain toft, with buildings thereon, and other appurtenances, in the town of Skerpinbec, viz. that toft lying the moſt eaſterly of thoſe three tofts which were his above the pond in that town; the ſaid Monks to have and to hold the ſame freely and quietly, for a pure and perpetual alms. Now William, and his heirs, warranted this toft, with its appurtenances, to the ſaid Monks, againſt all men, for ever. Witneſſes, Walter de Cancy; Roger his brother; William Tuſſet; Richard, a Chaplain; Peter, a Clergyman; William Turkil; Ralph Burdon; Michael Norrays; Peter Briton; Benedict the ſon of Arnald; Henry Puſet; and others." 122

" This is the agreement made between the Abbot and Convent of Whiteby, and Michael Noreys of Scripenbek, viz. the aforeſaid Abbot and Convent gave up to the ſaid Michael all claim which they had to a certain houſe in Scerpenbeck, for which they proſecuted the ſaid Michael by a brief or writ *de nova diſſaiſina*. And, on account of this their ſurrender and quitting claim, the aforeſaid Michael gave and granted to the aforeſaid Abbot and his Monks, a free paſſage through his land, on the north ſide of the little marſh, near the church land, according to thoſe marks and bounders ſet out when this agreement was made between the ſaid Abbot and Convent and Michael. And it is to be obſerved, that the aforeſaid Abbot and Monks of Whiteby, or theſe belonging to them, were not to claim a right of paſſing through the court-yard of the ſaid Michael; neither was Michael, or thoſe belonging to him, to claim any right of paſſing through the court-yard of the aforeſaid Abbot and Monks, through any cuſtom. It was alſo further agreed between the aforeſaid Abbot and Monks and Michael, that the ſaid Michael, or theſe belonging to him, ſhould place nothing, or do nothing, on that ground between the gate of the aforeſaid Abbot and Monks and the public ſtreet, which might be to the damage, or hinder the paſſage of the ſaid Abbot and Monks, or theſe belonging to them; reſerving however to the ſaid Michael, and theſe under him, ingreſs and egreſs to and from that houſe which cauſed the law-ſuit between 123

the aforeſaid Abbot and Monks and the ſaid Michael. And that all theſe things might be confirmed for ever, both parties ſet their ſeals to this record. And it is further to be obſerved, that it was alſo agreed between the aforeſaid Abbot and Monks and Michael, that the ſaid Michael was to mend and keep in repair the way between the high ſtreet and the gate of the ſaid Abbot and Monks, which wanted repairing at the time when this agreement was made. Witneſſes, Walter de Chancy; Walter de Katton; Robert Murdoc; Robert de Chancy; William de Barkeſthorp; Ralph Burdon; Peter Breton; William de Foxton, then Seneſchal to the Abbot; and others."

42 "Henry of Kaiton, for himſelf and his heirs, ſurrendered and quit-claimed for ever, to his Lord the Abbot of Wyteby, and the Convent there, all the land which he held of them in or out of the town of Kaiton, if he did not pay them his rent of five ſhillings and ſix pence for the ſaid land at the enſuing feaſt of St. Martin, or within fifteen days thereafter. And that this his ſurrender and quitting of claim might be ratified and confirmed, he ſet his ſeal to this record, in the preſence of Henry de Fouketon; Roger, Chaplain of Scartheburc; Hugh *(Foſtun)* the Official; Roger of Yrton; Richard his brother; and others."

Soon after Richard de Boſhale's making the donation at Fordun, men-
43 tioned in page 177, "Matilda de Galmeton, in the time of her widowhood, gave, granted, and confirmed, to God, and the church of St. Peter and St. Hilda at Wyteby, and to the Monks ſerving God there, a carucate of land in the town of Foredun," with all the other premiſes, tenants, and families, mentioned in Boſhale's charter, which "ſhe warranted to the aforeſaid Monks, againſt all men, for ever, and by this her charter offered up the ſame on the high altar of St. Peter and St. Hylda at Wyteby, in the year of grace 1232, on St. Coſmo and St. Damien's day, *(September 27th)* in the preſence of John of Eketon, and John of Rudeſtain, Knights; Geoffrey of Thorney; and others."

39 "Agnes, who had been the wife of Gregory Cart, when free and in her widowhood, on her own part gave, granted, and by her charter confirmed, to God, and to the houſe of St. Peter at Wyteby, and to the ſervants of God there, for the ſalvation of the ſoul of Gregory Cart, and of her own ſoul, and theſe of her ſucceſſors, that land in the town of Scardeburgh which was Gode de Scorham's, with its appurtenances, lying between the land that was Simon Scot's, and the land of Matilda, the daughter of Gerard Poplican, for a perpetual alms. And that this her donation and confirmation might be ratified and confirmed to the ſaid houſe, and to the ſervants of God there, ſhe delivered this record to them, ſealed with her ſeal, as a warrant and teſtimony of the ſame, in the preſence of Adam Hald' and Robert Farman, then Bailiffs of Scardeburg; William of Boſton; and others."

42 "This is the agreement made between Roger the Abbot and Convent of Wyteby, and Richard, ſon of Richer of Scardeburg, viz. That Roger, the Abbot

Abbot and Convent of Wyteby, granted and gave, to the ſaid Richard, and his heirs, thoſe two oxgangs of land which Adam de Kerling poſſeſſed. The ſaid Richard, and his heirs, to have and to hold the ſame, with all the conveniences, eaſements, and liberties, belonging to the ſaid oxgangs, freely and quietly, on paying for the ſame yearly to the ſaid Abbot and Convent of Wyteby twelve pence at two terms, viz. ſix pence at Whitſuntide, and ſix pence at Martinmas, for every ſervice, cuſtom, and ſecular exaction. And it is hereby to be underſtood, that the aforeſaid Abbot and Convent of Wyteby, gave and granted the aforeſaid two oxgangs of land, with all their appurtenances, to Richard and his heirs, in exchange for two oxgangs of land in the territory of Northmanby that were copyhold, *(cum humagio et relevio)* with a toft and a croft, and all their other appurtenances, viz. thoſe two oxgangs of land which Ralph Levine poſſeſſed, and for which he paid every year to the Abbot of Wyteby eight ſhillings at two terms, viz. four ſhillings every Whitſuntide, and four ſhillings more every Martinmas. And in witneſs of this perpetual exchange, the aforeſaid Roger the Abbot and Convent of Wyteby, and Richard of Fieling, ſet their ſeals to this record."

"Roger de Vledene, for himſelf and his heirs, ſurrendered, and quit- 60
claimed for ever, to Roger the Abbot and Convent of Wyteby, all that land in the town of Suffeld, which Peter, the Abbot of Wyteby, conferred upon him for his homage and ſervice, as far as he had a right to confer it without the conſent or aſſent of his Convent, viz. thoſe two oxgangs of land, with all their appurtenances, which Ralph, the ſon of John, poſſeſſed in the town of Suffeld. Now he made an affidavit that he would obſerve this ſurrender and quitting of claim faithfully and inviolably, and, touching the holy Evangeliſts, ſwore that he reſigned and gave up for ever, to the Abbot and Monks of Wyteby, all right and title that he had to the aforeſaid land. And in teſtimony of this ſurrender and reſignation, he ſet his ſeal to this record, in the preſence of Mr. Hugh de Foſtun, then official of Cleveland; Thomas of Houkeſgarth; William of Everley; Richard of Filing; Roger of Ireton; and others."

"Walter, ſon of Godfride, ſon of Blaker, gave, granted, and by his char- 4
ter confirmed, to Hugh, ſon of Roger Prudum, one toft of land in the town of Whiteby, viz. that lying between the land of Richard Freboys and the land of Agnes, wife of Thomas Cooke, in a ſtreet called Flora: To have and to hold the ſame, freely, quietly, and honourably, of the ſaid Walter and his heirs, by the ſaid Hugh and his heirs, for two marks of ſilver to him by the ſaid Hugh in hand paid in his great neceſſity: Rendering yearly for the ſame, burgage to the Lord Abbot, and alſo one penny every year for procuring books in St. Peter's church at Whiteby, for all ſervices, cuſtoms, or exactions due to him or his heirs. Now the ſaid Walter, and his heirs, warranted the ſaid toft, with all its appurtenances, to the ſaid Hugh, and his heirs, againſt all men and Women, for ever. Witneſſes, Lord Roger, Abbot of Whiteby; William de Foxton, then Seneſcal of Whiteby; Robert of

of Barneby; Andrew of Duneſley; William of Walden; William the Merchant, *(Mercatore)*; William the Dyer, *(Tinctore)*; Robert his brother; Peter of Neuham; and others."

58 "Ralph Nuvel of York, for himſelf and his heirs, ſurrendered, and quit-claimed for ever, to God, and the church of St. Peter and St. Hylda of Wyteby, and to the Sacriſt of that place, a yearly revenue of five ſhillings, out of two pieces of land in the town of Wyteby, which Thomas, the ſon of Andrew, and John the Earl's companion, held of him; with all right and claim that he had to the aforeſaid lands: In exchange for a revenue of five ſhillings, out of ſome land in Uſegate at York, lying between the land which was Philip the ſon of Baldewine's, and the land which was Hugh the ſon of Leuwine's. Now it is hereby to be underſtood, that the ſaid Ralph, and his heirs, were to pay, for the aforeſaid land in Uſegate, to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Sacriſt of that place, twelve pence yearly every Whitſuntide, in Fiſergate at York, for all ſervices and exactions belonging to the ſaid land. Witneſſes, Geoffrey de Gedding; Adam, ſon of Aldan, of Scarbur, *(one of the Bailiffs before-mentioned)*; Alan de Percy; and others."

39 "Richard, ſon of Quevildo of Stainſecre, with the conſent of his wife Hawyſe, gave, granted, and quit-claimed, to the church of St. Peter and St. Hilda at Wyteby, and to the Monks ſerving God there, all the land that he had, or might have, in the territory of Stainſecre; and he, and his wife Hawys, ratified and confirmed to the ſaid Monks all right and title that they, or their ſucceſſors, had, or might have, to any land there. And that this his donation, and quitting of claim, might be ſtable and firm, he ſet his ſeal to this record, and offered up the ſame on the high altar of St. Peter and St. Hilda at Wyteby, in the preſence of Roger, a Chaplain; Mr. Hugh of Foſton; Thomas of Houkeſgarth; and others."

39 "Matilda, daughter of Richard, ſon of Quevildo, wholly quit-claimed whatever right ſhe had, or ought to have, to that land in Steinſecre which Richard her father, and Hawiſe her mother, his wife, offered up to the houſe at Wyteby, (viz. to the Abbey of St. Peter and St. Hilda at Wyteby) for five marks of ſilver which Roger, Lord Abbot of Wyteby, gave her for a portion. And that this her ſurrender and quitting of claim might be ratified and confirmed, ſhe ſet her ſeal to this record, in the preſence of Roger, a Chaplain; Mr. Hugh of Foſtun; William, Seneſcal of Wyteby; and others."

For the exchange between the Abbot Roger and Ranulf the ſon of Alan, of all the land belonging to the ſaid Ranulf at Soureby, for nine acres two rods and ten perches at Siechtes, ſee page 129.

43 "This is the final agreement made between Samſon de Lapumere and Dioniſia his wife petitioners, and Roger the Abbot and Convent of Wyteby poſſeſſors,

seſſors, viz. that the aforeſaid Abbot and Convent quit-claimed the homage of William the ſon of Adam of Snetun, and that oxgang of land which formerly was Matthew Arundel's, for the homage of Andrew of Snetun, and a moiety of that culture called Lingarth, in the field of Werſnetun, viz. that moiety which every where lies neareſt the eaſt, which the ſaid Andrew and his heirs freely and quietly held by hereditary right of the aforeſaid Abbot Roger, and the Convent of Wyteby: Paying for the ſame annually to the ſaid Abbot and Convent two ſhillings for all ſervices and exactions, and reſerving the foreign ſervice, *(viz. anſwering at the Abbot's court, and making up a part of the Horngarth.)* And for the faithfully obſerving this final agreement, the aforeſaid Sampſon and Dioniſia his wife, as alſo the Lord Abbot Roger, ſet their ſeals to this record, in the preſence of Thomas of Houkeſgarth; Roger of Yrtun; Thomas, Prieſt of Wyteby; Roger and Richard, Chaplains; and others." 13 *and* 123

"Juliana, daughter of William of Soureby, gave, granted, and by her charter confirmed, to God, and the church of St. Peter and St. Hylda at Wyteby, and to the Monks performing divine ſervice there, as a pure and perpetual alms, for the ſalvation of her own ſoul, and thoſe of her father and mother, and for the ſouls of her predeceſſors and anceſtors, and for four ſhillings which the Abbot Roger gave her in her great neceſſity, all her land in Soureby, and all right or claim which ſhe had, or might have, to any land there. And that this her donation might be eſtabliſhed and confirmed, ſhe ſet her ſeal to this record, in the preſence of Ralph Bardolf; Roger, a Chaplain; Mr. Hugh of Foſton; William de Foxtun; and others." 40

"Thomas of Haukeſgarth, with the advice of his wife Julian, his ſon Thomas, and other heirs, gave, granted, and by his charter confirmed, to God, and St. Peter and St. Hylda of Wyteby, and to Roger the Abbot, and the Monks performing divine ſervice there, that half carucate of land in Soureby, which he formerly held of them, with all its appurtenances whereſoever ſituate, in exchange for four oxgangs of land in the town of Haukeſgarth, viz. one which Aſketine of Haukeſgarth gave to the chapel of Haukeſgarth, and one which Jayne, the ſon of Pagan, poſſeſſed, and one which Outhengar poſſeſſed, and a fourth which Roger the ſon of Hugh poſſeſſed; and for the homage of Walter of Neuton, and his heirs, with a revenue of two ſhillings; and for the relief or liberty to leaſe again the ſaid land, when that ſhould happen, or was neceſſary to be done, on giving two pence only for all ſervices, exactions, and demands; and for a toft and a croft which Mazeline poſſeſſed in Northmanby; and for the quit-claiming a revenue of two ſhillings due for the ſaid half carucate of land in Soureby. And it is hereby to be underſtood, that the ſaid Thomas, and his heirs, warranted the ſaid half carucate of land, with all its appurtenances, to the aforeſaid Abbot of Wyteby and Convent, againſt all men and women, for ever. And if it ſhould ſo happen that he was not able to warrant the aforeſaid lands to them, he ſhould grant them in exchange others of equal value, on a view made by lawful and honeſt 40

honeſt men. In teſtimony whereof he ſet his ſeal to this record, in the preſence of William of York, then Seneſchal to the Abbot; Roger, the Abbot John's brother; William of Haukeſgarth; William of Everlay; and others."

41 "William of Haukeſgarth, with the advice and conſent of Cecily his wife and Adam his heir, gave, granted, and by his charter confirmed, to God, and the church of St. Peter and St. Hilda at Wyteby, and to the Monks performing divine ſervice there, as a pure and perpetual alms, for the ſalvation of his own ſoul, and theſe of his anceſtors and ſucceſſors, one oxgang of land in the territory of Haukeſgard, which was Jayne's, the ſon of Pagan, with all its appurtenances; and out of the dower of Euſemia, formerly wife of his brother Roger, two oxgangs of land in the ſame town of Houkeſgard, viz. that which Houthengar formerly poſſeſſed, and that oxgang which Roger, ſon of Hugh, formerly poſſeſſed, with all their appurtenances, whether in the town or out of it; and one acre of meadow which lay on the weſt ſide of the Bothem; and eight acres of arable land in the Litel-Bothem; and two acres in the Great Culture in Northmanby; and eight acres and a half out of his manor in Brakanflat and Litel-Bothem; and one acre and a half in Leverikflat; and three acres in the Great Culture in Northmanby; and half an acre of meadow in the Bothem. Moreover, he gave, granted, and by his charter confirmed, to the aforeſaid church of Wyteby, the homage and ſervice of Richard of Filing, the ſon of Richer, with a rent ſervice of four ſhillings and three pence, payable at two terms, viz. one half every Whitſuntide, and the other half every Martinmas, viz. for an oxgang of land which Michael formerly poſſeſſed, and twelve acres which William formerly poſſeſſed, three ſhillings and ſix pence; and for one oxgang which was the Dower of Leſceline his grandmother, nine pence. Alſo he gave to the ſaid church the homage of Roger of Hirton, with a rent ſervice of ſix ſhillings and one penny, to be paid yearly at the aforeſaid terms, viz. for that oxgang which Richard Biſcop poſſeſſed, four ſhillings; for three acres, whereof two lay near the end of the town of Northmanby in the Great Culture of the ſaid William, and the other acre in the Tofts that William Vavaſur formerly poſſeſſed, eight pence; for a culture in the Bekkes, five pence; and for ten acres of land in the territory of Northmanby, with a toft which Ralph Cuſin formerly poſſeſſed, viz. one acre in the Tofts; two acres in Michelflat on Netherwending towards the eaſt; one acre in Skitekeldeflat; one acre and a half in Dailderhou; five rods at Lingehou near Toteſich; five rods at Thornekelde; one acre in Leverikflat; and one acre in the Litel-Bothem, twelve pence. Alſo he gave to the ſaid church, the homage of Walter of Neutun, with a rent ſervice of two ſhillings, payable yearly at the aforeſaid terms, for that oxgang of land in the territory of Haukeſgard, with a toft, which William Vavaſur formerly poſſeſſed. Now William, and his heirs, warranted this donation to the aforeſaid church of Wyteby, and enſured the ſame, againſt all men and women, for ever. In teſtimony whereof he ſet his ſeal to this record, in the preſence of Roger, Chaplain of Scartheburc; Mr. Hugh of Foſtun; Thomas of Houkeſgard; William of York, then Seneſcal; and others."

This

This ſame "William of Haukeſgard, gave, granted, and by his charter confirmed, to God, and St. Peter and St. Hylda of Wyteby, and to the Monks performing divine ſervice there, a toft and a croft, with their appurtenances, in the town of Northmanby, which Mazeline poſſeſſed, for a free, pure, and perpetual alms. In witneſs whereof he ſet his ſeal to this record, in the preſence of William of York, the Abbot's Seneſchal; Roger, brother to the Abbot John; William of Everlay; and others." 41

"Henry of Ormeſby, and Emma Waſthoſe his wife, gave, granted, and by their charter confirmed, to God, and the church of St. Peter and St. Hilda at Wyteby, and to the Monks performing divine ſervice there, half a carucate of land in the territory of Fieling, free and clear from all ſervices, exactions, or demands, viz. that half carucate of land which they held of Richard de Wivil, and his heirs, on paying annually to the heirs of Richard de Wivil, half of a ſoaring ſparrow-hawk, *(dimidium ſparveriumſorum)* for all ſervices and demands belonging to the ſaid land. Now the aforeſaid Henry, and Emma Waſthoſe his wife, warranted the aforeſaid half carucate of land, to the church of Wyteby, againſt all men and women, for ever. In teſtimony of which they ſet their ſeals to this record, in the preſence of Lord or Mr. *(Domino)* William Buſcel; Robert of Ormeſby, Parſon of Thweng, *(Parſona de te Weng)*; Roger, Chaplain of Wyteby; and others." 39

"Emma Waſthoſe, in her widowhood, and of her own accord, gave, granted, and by her charter confirmed, to God, and the church of St. Peter and St. Hilda at Wyteby, and to Lord Roger the Abbot, and the Monks performing divine ſervice there, half a carucate of land in the territory of Fieling," &c. the ſame as in the laſt charter to the end. 39

"Henry Eſſcrop, and Gilian his wife, gave, granted, and by their charter confirmed, to God, and the church of St. Peter and St. Hilda at Wyteby, and to the Abbot and Monks performing divine ſervice there, two oxgangs of land in the town of Northfiling, with all their appurtenances, whether in the ſaid town or out of it, for a free, pure, and perpetual alms, viz. thoſe two oxgangs of land which Nigell formerly held of them, free, clear, and quit, from all ſervices, exactions, or demands. Now Henry, and Gilian his wife, and their heirs, warranted this donation, grant, and confirmation, againſt all men and women, for ever: And if it ſhould ſo happen that they were not able to warrant theſe two oxgangs of land to them, they, or their heirs, would, by way of exchange, give them other land of equal value. Witneſſes, Robert, Chaplain of Fieling; Peter, Chaplain of Hakanes; William of York, then Seneſcal to the Lord Abbot of Wyteby; Thomas of Houkeſgard; and others." 39

"Roger Brun of Thorenton, with the conſent of Yſabella his wife, and their heirs, granted, and by his charter confirmed, to God, and the church of bleſſed Peter and St. Hilda of Wyteby, and to the Monks performing 40

divine ſervice there, the donation and grant which Henry Eſcrop, and Julian his wife, the daughter of Roger, made and confirmed to them, viz. two oxgangs of land in the town of North-Filing, with all their appurtenances, whether in the ſaid town or out of it, which the ſaid Henry and Julian gave them, for a free, pure, and perpetual alms. In teſtimony whereof he ſet his ſeal to this record, in the preſence of Robert, Chaplain of Fieling; Peter, Chaplain of Hakenes; William of York, then Seneſcal to the Abbot; Thomas of Houkeſgarth; Roger of Hyrton; and others."

41 "Richard, ſon of Richer of Fieling, gave, granted, and by his charter confirmed, to God, and St. Peter and St. Hilda of Wyteby, and to Roger the Abbot, and the Monks performing divine ſervice there, for a free, pure, and perpetual alms, the land called Ovenham, with a toft and a croft in the territory of Northfieling, and all their appurtenances, that had been ſold to him by Roger Burigan. Now the ſaid Richard, and his heirs, warranted that donation to the aforeſaid Abbot and Convent of Wyteby, againſt all men, for ever. In teſtimony whereof he ſet his ſeal to this record, in the preſence of Robert, Chaplain of Fieling; Thomas of Houkeſgard; Nichol, ſon of Peter of Aton; Peter, ſon of the ſaid Nichol; and others."

40 "Roger Burigan gave, granted, and by his charter confirmed, to Lord Roger the Abbot, and Convent of Wyteby, one oxgang of land in Norfieling, with a toft and a croft, and the buildings thereon, and other appurtenances, whether in that town or out of it, for a free, pure, and perpetual alms, viz. that oxgang adjoining the land of the ſaid Abbot and Convent on the ſouth, for a ſum of money to him in hand paid by them in his great neceſſity, free and clear from all ſervices, exactions, or demands. Now the ſaid Roger Burigan, and his heirs, warranted the ſaid oxgang of land, with all its appurtenances, to the aforeſaid Abbot and Convent of Wyteby, as freely and quietly as any alms could be warranted to them by any benefactor whatſoever. And it is hereby to be underſtood that the ſaid Roger, and his heirs, obliged themſelves fully to perform the duty and ſervice of the Horngarth; as alſo the plowing, the reaping, and all other ſervices belonging to that oxgang of land, out of his other remaining tenement or farm. In witneſs whereof he ſet his ſeal to this record, in the preſence of Robert, Chaplain of Fieling; William, Seneſcal of Wyteby; Thomas of Houkeſgarth; William of Everlay; and others."

Here is another inſtance that making up the Horngarth, or Penny-hedge, was a duty or ſervice neceſſarily incumbent upon all ſuch as poſſeſſed any Abbey land in or near the precincts of the harbour of Whitby, as we obſerved before in page 130. It is here numbered with the plowing, reaping, and other ſervices due to the capital lord of the manor; and no where in our records is the leaſt intimation or hint given that it was a piece of ſervice required, or penance enjoined, by way of atonement for the committing of murder, or exerciſing cruelty towards any Monk whatſoever.

"Roger

" Roger Burrigan, with the will and conſent of his wife Matilda and heirs, 45
ſold to Lord Roger the Abbot of Witeby, all the land, with the buildings and other eaſements, which he held of him in the town of Filing, for four marks of ſilver given him by the ſaid Abbot in his great neceſſity, to be free and quit from him and his heirs for ever. Now the ſaid Roger, and his wife, by touching the holy Evangeliſts, ſwore, and made affidavit before the aforeſaid Lord Abbot, that neither himſelf, his wife, or his heirs, would ever claim the ſaid land from the houſe of Witeby, or otherwiſe make them incur any damage or loſs thereby. Witneſſes, Stephen de Roſel; William of Everley; William de Percy of Duneſley; Roger of Yrton; Richard of Filing; Roger of St. Botulf's; John of Kethon; William of Giſburn; and many others."

We have now finiſhed our account of the many donations and benefactions given to Whitby Abbey during the reign of the Abbot Roger, and have ſhewn from what mean beginnings our Monaſtery gradually aſcended to ſuch a pitch of wealth, power, and grandeur, as to be exceeded by few in England. What we have further to obſerve is, that moſt of the donations here recorded were granted in the beginning of this Abbot's reign; very few additions in land, revenues, or poſſeſſions, being made thereto after the year 1230: For in the year 1225, the Lords and Nobles of England, jealous of the growing power and riches engroſſed by the Religious all over this nation, made an act of parliament to prevent and reſtrain the granting of any more land or real eſtate to Monaſteries for the future. This was a blow ſoon very ſenſibly felt by them; their greatneſs became ſtationary, and the wealth of many of them was conſiderably diminiſhed long before their diſſolution; their Abbots living in ſuch pomp and grandeur, that the revenues, unable to ſupport them, were embezzled, and loaded with ſuch debts as ſucceeding generations could not redeem or diſcharge. As for Whitby Abbey, we are now to conſider it in the pinnacle of its glory, and though not immediately upon the decline, yet we do not find it ever accumulating any more wealth after this, all the future donations made thereto hardly amounting to a revenue of twenty ſhillings a year. On the contrary, by the extravagance of our Abbots, their granting ill-timed leaſes, and other miſmanagements, the revenues of the Monaſtery, one hundred and fifty years after this, ſeem to have been conſiderably upon the decline, and the Monks then found themſelves under a neceſſity of making ſeveral new regulations, in order to preſerve their rank and dignity from going to ruin, as will more fully appear in the courſe of our hiſtory.

But it is time to return from this digreſſion to the Abbot Roger, who died in great fame, much lamented, not only by the Monks, but alſo by the whole country around Whitby, in the beginning of the year 1244, and was ſucceeded as Abbot of Whitby by a Monk called John de Steyngreve.

In the beginning of his reign, this " John II. by the grace of God, Abbot 22
of Wyteby, and the Convent there, gave, granted, and by their charter confirmed, to Richard de Folketun, their land in the town of Scartheburg be-

yond the pond *(ſtangium)*, viz. that which lay between the land of the ſaid Richard and the land which was Grunkill's; to have and to hold the ſame of them, by him and his heirs, as a freehold and inheritance, freely and quietly, on paying yearly for the ſaid land ten ſhillings for all ſervices belonging to the Monaſtery of Wyteby, viz. half of the ſaid ſum every Whitſuntide, and the other half every Martinmas, and making a ſervice gift to the King *(faciendo ſervicius donum Regis)*. And if it ſhould ſo happen that the ſaid Richard did not, at thoſe ſtated terms, pay his ſervice rent for theſe lands to ſuch meſſenger as the Abbot and Convent of Wyteby ſhould ſend to receive the ſame, he was to keep and entertain the ſaid meſſenger at his houſe, honourably, and at his own expence, till payment of the ſaid ſervice rent was fully made to him. Witneſs, the Chapter of Wyteby."

88 "Tranſactions in the great church at Lincoln, on the morrow of the courts *(in craſtino curiarum)*, in the year of grace 1246, before the Chancellor and Maſter of the Robes at Lincoln, Judge-Delegates of our Lord the Pope, in a controverted cauſe between the Abbot and Convent of Whiteby of the one part, and Mr. Walter de Gray, Rector of the church of Semar of the other part, by their proctors lawfully appointed there appearing: Which place and day being fixed for finally determining this cauſe, unleſs ſomething canonical ſhould intervene, it was at laſt amicably ended by the parties in the following manner, viz. That the aforeſaid Walter de Gray ſhould give the ſaid Abbot and Convent a charter for what they required, wrote in theſe words: To all ſons of holy mother Church who ſhall ſee or hear this preſent writing, Walter de Grey, Rector of the church of Semar, greeting in the Lord. Know all of you, that I am bound to the Abbot and Convent of Whiteby in an yearly penſion of five marks, due to them for the church of Semar; and in three marks yearly for the tithes of corn ariſing from the lordſhip of the ſaid town; which I promiſe, on my corporal oath, faithfully to pay them at two terms in the year, viz. four marks every Whitſuntide, and four marks more every Martinmas. And if I happen to be dilatory at either of the aforeſaid terms in paying the ſaid money, I promiſe them ten marks more as a penalty, over and above the principal debt. And for the performing all theſe things faithfully, I ſubmit myſelf abſolutely to the juriſdiction of my Lord the Archbiſhop of York for the time being; who, without any judicial proceedings, or delay, may compel me by the eccleſiaſtical cenſure to pay both the principal debt and the penalty. In teſtimony whereof I have ſet my ſeal to this record, in the preſence of Walter, Lord Archbiſhop of York; Mr. Peter de Fikelden then Chaplain, and William de Langton then Chancellor to his Lordſhip; Reginald, a Clergyman; Alan Heſer *(or Alan de Stell)*; Mr. Reginald de Fykelwerd *(or Pykwurd)*; Michael de Hamſtede; and others. Done in the year of grace 1246, on the 5th of the kalends of February. Now the aforeſaid Judges, approving of this agreement, have ſet thereto their ſeals, and keep the ſame in their hands, for forcing the aforeſaid Walter de Grey, by the eccleſiaſtical cenſure, in all things firmly to the obſervance thereof, without any further judicial proceedings or delay."

Walter

Walter de Gray, dreading the rod that was now lifted up over him, for the time preſent ſubmitted to this agreement, though with the utmoſt reluctance. He but ill brooked the paying 5 l. 6 s. 8 d. yearly (a large ſum in thoſe days) for that church where he performed all the ſervice, and for which he thought nothing was due; and though he was bound down to the performance of articles, yet he was very remiſs and backward in paying his penſion. As he was nearly related to a noble family, the Abbot and Convent of Whitby long bore with him, and thought it would be ſufficient to remonſtrate againſt his behaviour; but that not having a proper effect, and the arrears he owed them continually increaſing, they found it neceſſary to complain to the Archbiſhop and court of York, in the year 1268, for redreſſing their grievances, who were inveſted with an abſolute power to puniſh the ſaid Walter for a violation of articles which he had ſolemnly ſwore to obſerve. What they now deſired was, a payment of all arrears due to them from the ſaid Walter, and his removal from the church of Semar. When things were ſo far advanced that a definitive ſentence was to be pronounced by the official, and Walter was to have had the eccleſiaſtical cenſure thundered out againſt him, which would have rendered him incapable any longer to act as a Clergyman, a proper ſubmiſſion was made by him, and a ſtop being put to the cenſure, both parties agreed to ſtand and abide by the determination or ſentence of the official, which was, "That the ſaid Walter ſhould reſtore to the 89
Abbot and Convent of Whiteby their two parts of the tithe of corn for the manor of Semar, which he had hitherto held and poſſeſſed of them as a farm for forty ſhillings yearly rent. And as for the reſt, he ſhould pay them yearly a penſion of five marks for the church of Semar, whereof they were patrons, due by a former agreement, viz. two marks and a half every Whitſuntide, and two marks and a half more every Martinmas, and alſo all arrearages that were now due. And if he omitted any term in thus paying the ſaid penſion, he ſhould abſolutely be obliged to forfeit one hundred ſhillings to the Archbiſhop of York for the time being, or his official, and moreover without delay pay the principal that was owing to the Abbot and Convent of Whiteby. Alſo *(continues the official)* we order, determine, and decree, that the aforeſaid Abbot and Convent ſhall drop their action for the removal of the ſaid Walter from the church of Semar, legally entered before us, and give him a written releaſe for the ſame. Now if either of the aforeſaid parties ſhall act any thing contrary to this ſentence of ours, the party ſo offending ſhall forfeit forty marks to the Lord Archbiſhop of York for the time being, or his official, and ſhall likewiſe effectually conform to and comply with the orders contained in this decree. And to the end that what is here premiſed may remain confirmed, and no diſturbance may happen about the ſame for the future, we ſet the ſeal of officiality of the court of York to this record, a copy of which ſhall remain with each party for ever, to which their ſeals (as well as the official's) ſhall be alternately affixed. Dated at York, on the 12th of the kalends of July, in the year of grace 1269."

I have been the more particular in giving an account of theſe proſecutions commenced by the Abbot and Convent of Whitby againſt Walter de Gray, as they

they ſhew the nature of proceedings at that time uſed here in the ſpiritual court, which was then the ſupreme court in this nation for eccleſiaſtics, from which there lay no appeal without perſonally appearing at Rome; nor was it allowed by the Pope for the clergy that had cauſes depending among them, to have them brought into any other court, neither did actions properly lie againſt clerical perſons before any Lay-judge; which thing cauſed a vaſt circulation of money annually from England into the Pope's coffers, and would ſtill have kept this nation poor if the clergy had retained the ſame authority, and we had continued our obedience to the ſee of Rome. It is true we have yet ſome little reſemblance of this court in every dioceſe throughout the nation, but ſo much abridged in power, and ſo much under the controul of the civil magiſtrate, that it is no more than a mere ſhadow of what it was formerly. The King is now the ſupreme head of our church, and the clergy can claim no greater indulgence from the eſtabliſhed laws than the reſt of his Majeſty's ſubjects; ſo that when they have any cauſe depending, either for tithes or other property, it comes under the cognizance of the civil judge, the ſame as if it were the action of any lay perſon. But we ſhall proceed to give another inſtance, to ſhew that matters were on a different footing here in England formerly, and that is with regard to the tithes of land, for which Pope Honorius III. had already given ſome general directions, (*ſee page* 171) which not being particular enough, ſo as to be ſufficient in all caſes, great diſputes aroſe between the See of York and the Monaſtery of Whitby, about the tithes that were due to that See for our Abbey land; and the account we have in our records will beſt ſhew what was the event of a ſpiritual proſecution commenced on that account.

67 *and* 77 "In the year 1248, on the morrow of St. Barnabas the apoſtle, the lawſuit commenced by the Maſter and Brotherhood of the Hoſpital of St. Peter's at York, againſt the Abbot and Convent of Whiteby, before the Precentor of Huntyngton, Judge-delegate of our Lord the Pope, in a cauſe about the tithes of land due from the ſaid Abbot and Convent, was amicably ended in the following manner, viz. That the ſaid Abbot and Convent ſhall be freed from paying tithes for any of the land cultivated by them at the time of making this agreement; as alſo for any land that they have newly cleared, or are to clear of rubbiſh; as likewiſe for the moors in their lordſhip, if cultivated at their expence. But if their free homagers, or theſe born there, or farmers, cultivate theſe lands, or any other belonging to the ſaid Abbot and Convent, they ſhall pay tithes for the ſame. And if it ſo happen that the ſaid Abbot and Convent are deſirous to cultivate theſe lands in their lordſhip, which the natives cultivated at the time of making this agreement, they ſhall then be freed from paying tithes for the ſame. Likewiſe for theſe lands of theirs which before this agreement they had lett out to farm, they ſhall be always clear when they return into their own hands again, viz. as long as they cultivate them at their own expence. But if it ſhall ſo happen that the ſaid Abbot and Convent after this agreement take any other than the aforeſaid lands to farm, or otherwiſe get lands from which the ſaid Maſter and Brotherhood

therhood have been uſed to receive tithes of corn, the ſaid Abbot and Convent ſhall continue to pay tithes for the ſame, or make other ſatisfaction. Now for this conceſſion and quit-claiming of tithes as is aforeſaid for ever, the ſaid Abbot and Convent ſhall give and pay yearly, to ſuch perſon as the ſaid Maſter and Brotherhood ſhall appoint, three thouſand good and ſeaſonable herrings, on the morrow of St. Andrew the apoſtle, at Thorntone in the vale of Pykerynge, for ever. And leſt either of the parties ſhould at any time act contrary to this agreement, both of them ſubmit themſelves to the juriſdiction of the Dean and Chapter of York, who, without admitting any appeal, are hereby empowered to compel that party which ſhall endeavour to ſet it aſide to the diligent obſervance thereof. In confirmation and teſtimony of which agreement, the ſeals of the ſaid Abbot and Convent, and of the ſaid Maſter and Brotherhood, as alſo of the ſaid Dean and Chapter, are ſet to this record in the manner of chirographs."

This agreement, made above 500 years ago, is now the baſis upon which the payment of our tithes in Whitby pariſh yet depends; that land which was poſſeſſed and tilled by the Abbot and Convent at the diſſolution of the Monaſtery, anno 1541, is ſtill exempted from the payment of tithes, though it is no eaſy matter now preciſely to aſcertain ſuch land, and many diſputes have from time to time aroſe about the ſame. As for the three thouſand herrings, they ſtill continue payable to the Archbiſhop of York on the before-mentioned day of the year, not at Thornton, but at his palace of Biſhopthorpe, near York, viz. one thouſand five hundred good and ſeaſonable red herrings, and one thouſand five hundred good and ſeaſonable white herrings, annually. There is alſo now due yearly to his Grace, as tithe for fiſh, one hundred good ſtock-fiſh, (or in lieu thereof twenty ſix ſhillings and eight pence in caſh), and two hundred dried cod and ling of the beſt ſort, to be delivered at Biſhopthorpe every Michaelmas-day; and moreover four loads of freſh fiſh of the beſt and largeſt packing, to be delivered at his palace aforeſaid at two terms in the year, viz. two loads in each of the aſſize weeks. This fiſh is by way of compoſition for the tithe of fiſh taken at Whitby and Robin Hood's Bay: But when the tithe is taken in kind, the Archbiſhop claims every twentieth fiſh.

In the year 1256, "Thomas de Haſtyngs, ſon of Thomas de Haſtyngs, 100
for himſelf, his heirs, and aſſigns, engaged never to bring any ſuit or action, for not grinding their corn at his miln in Croſſeby, againſt the Abbot and Convent of Whiteby, or their homagers and tenants, who poſſeſſed their lands in Croſſeby-Ravenſwarth, viz. thoſe lands which they had there on the Friday next before the feaſt of St. Barnabas the apoſtle, in the 40th year of the reign of Henry, the ſon of King John. And he gave the ſaid Abbot and Convent, their homagers and tenants, leave to grind their corn which grew on that land at whatever miln they thought proper, without any diſturbance or hindrance from him, his heirs or aſſigns, for ever. And, for their greater ſecurity, he ſet the impreſſion of his ſeal to this record, in the preſence of Robert de Aſkeby; Alan de Catabergo; Rouland de Revegill; William de

de Franceys; William de Goldington; John de Berwys; William, ſon of Adam of Meburn; and others."

John de Staingreve, Abbot of Whitby, departed this life anno 1258, and was ſucceeded by a Monk called William of Briniſton, who, by the Chapter of Whitby, was elected Abbot in his room; during whoſe reign nothing particular occurs before the year 1260; when the ſaid "Abbot, and Convent
45 of Whiteby, gave, granted, and by their charter confirmed, to Ralph of Midelſburh, the ſon of William de Foxton, for his homage and ſervice, a toft and a croft, with their appurtenances, in the town of Midelſburh; being that which Robert, the ſon of Benedict, formerly held of them in that town. The ſame to be held and poſſeſſed by the ſaid Ralph and his heirs, as a freehold and inheritance, with all its appurtenances and eaſements, whether within or without the town, freely and quietly, on paying for the ſame yearly two ſhillings for all ſervices, exactions, and ſecular demands, viz. one ſhilling every Whitſuntide, and one ſhilling more every Martinmas. And to confirm this their donation, that it might remain ſtable and firm for ever, they ſet their chapter-ſeal to this record."

114 In the year 1262 died Richard of Irſton, Vicar of Croſſeby-Ravenſwarth; on which a Clergyman, called William of Foſton, a penſioner of the church of Whitby, and probably a relation of the ſo often named Hugh of Foſtun, made application for that living, when he "promiſed and engaged before his worthy patrons and maſters Lord William, Abbot of Whiteby, and the Convent there, by taking his corporal oath, that if they inducted him into the Vicarage of Croſſeby-Ravenſwarth, and pleaſed to appoint him Vicar there, he would give them an yearly penſion of twenty ſhillings at thoſe ſame times when Richard of Yrſton, late Vicar of the ſaid church, had always paid it, get it how he could; and that, on account of this preſentation, he never more would require of them the twenty ſhillings yearly penſion which they had heretofore been bound to pay him; nay he would renounce all pretenſions to any further demands, under the engagement of his aforeſaid corporal oath. And that they might the more eaſily recover the ſaid debt, *(for ſo he calls the above-mentioned penſion)* he totally renounced all foreign privilege, or taking any advantage either from the canonical or civil law; ſubmitting himſelf, with regard to what he here promiſed, to the juriſdiction of the Archdeacon of Cliveland, and his official for the time being. Witneſſes, Ralph of Midilſburgh; John of Yrton; Roger of Yrton; Nicholas Wibern; Ralph of Lyth; and others."

The reader, I make no doubt, will be ſurprized that Foſton ſhould deſire to be admitted as perpetual Vicar of Croſſeby-Ravenſwarth, and promiſe to do all the duty that was required to be done in ſo large a pariſh, without having any ſalary for the ſame: But his head was full of ſchemes, which appear not to be good ones, by his promiſing to pay the Abbot and Convent of Whitby a yearly penſion of twenty ſhillings, get it how he could. No ſooner was he inducted into the Vicarage, than he made a raiſement, or, as our records call it, an augmentation in the tithes for wool and lambs throughout the whole pariſh, a thing which had always continued ſtated, and without alteration,

ever

ever ſince the church of Croſſeby was given to the Monaſtery of Whitby. This was very diſagreeable to his pariſhioners, and they made repreſentations thereof to his maſters and patrons at Whitby; but all in vain, the Abbot and Convent lent a deaf ear to every thing that was ſaid; and the inhabitants of Croſſeby, being at laſt wearied out with complaining to no purpoſe, applied to Robert the then Biſhop of Carliſle, who ſeemed to be greatly exaſperated at the proceedings of Foſton, and the behaviour of the Abbot and Convent of Whitby. He heard all the people of Croſſeby had to ſay, and diſmiſſed them with aſſurances of inquiring into and redreſſing their grievances. Hereupon Foſton was ſummoned before the court of Carliſle to anſwer for his conduct, particularly with regard to the augmentation of tithes for wool and lambs which he had made in the pariſh of Croſſeby-Ravenſwarth. Foſton made anſwer, That he held his church of the Abbot and Convent of Whitby, to whom, and not the Biſhop of Carliſle, he was anſwerable for his conduct. And as for the tithes, they were the ſole property of his ſaid maſters, and they had a right to raiſe or lower the ſame as they pleaſed. The Archdeacon of Carliſle replied, That theſe tithes had always been ſtated at a certain rate, and, if any augmentation was made, it was the property of the Biſhop of Carliſle, for whom he again demanded it. To this Foſton paid little regard, as intending, whatever happened, to ſhelter himſelf under the wings of the Abbot and Convent of Whitby, under whoſe authority he had acted. Whereupon the Biſhop of Carliſle formed a reſolution of removing him from the living of Croſſeby, and ſubſtituting William de Sevenake, a clergyman born in Kent, in his ſtead, as Vicar of the ſaid church, with full power to receive the aforeſaid augmentation, for the uſe, and on the account, of him the ſaid Biſhop. That this might be done according to law, apoſtolic letters were procured by him from Rome, appointing "Mr. Michael de Hampſtede, Archdeacon of 108
Carliſle, Judge-delegate in this cauſe, before whom the aforeſaid William de Sevenake perſonally appearing, and alſo Aſtun of Thornton, Clerk, appearing as proctor for the Abbot and Convent of Whiteby, in the cathedral church of Carliſle, on the morrow of the Holy Trinity, in the year of grace 1262, proof was made, not only by letters, but alſo by the Dean of Weſtmoreland there preſent, that the ſaid Abbot and Convent had been lawfully and properly cited to appear, on the aforeſaid day and place, to make anſwer before the aforeſaid Judge, or his Commiſſaries, to William de Sevenake, with regard to the church of Croſſeby-Ravenſwarth: After which the lawyers read over, before the above-mentioned Judge, the apoſtolic letters, the procuratory, and other judicial inſtruments, copies of which were demanded and obtained by both parties, with the Judge's ſeal affixed thereto; alſo a little book was delivered to, and another received from, the proctor aforeſaid; and a day was fixed for him to conſider and conſult his maſters, and in form of law to anſwer the little book he had received; which day was the Monday next before the feaſt of John the Baptiſt's nativity, when in that ſame place the Judge declared he would proceed to do what to juſtice ſhould appertain."

On that day the Archdeacon of Carliſle deputed the Subchanter of the church of Carliſle, and the Maſter of the Robes there, to act in his ſtead, who

being diſpoſed to favour the Biſhop, Thomas de Foneis, the Official and
108 Archdeacon's Commiſſary, tells us, "that William de Sevenake prevailed, and was appointed Vicar of Croſſeby-Ravenſwarth, the augmentation of the tithes being adjudged to belong to the Biſhop of Karliol. Againſt which ſentence the Abbot and Convent of Whiteby, making ſeveral frivolous and fooliſh exceptions, fondly appealed to the See of Rome, when they ought to have appealed to the aforeſaid Archdeacon. On account of this appeal, and protracting the law-ſuit, the aforeſaid William complained of great damages and expences, which he rated at forty marks, and which he begged might be adjudged to him by the court, that the aforeſaid Abbot and Convent, and their proctor, might be made liable to the payment thereof, reſerving however to himſelf the benefit of the law in all other things."

Strange and unaccountable proceedings! The Biſhop of Carliſle ſeizes upon, and takes away, what is known to be the property of the Abbot and Convent of Whitby; and then, to inſure this poſſeſſion, the Pope iſſues apoſtolic letters, by which theſe very men, who had been the perpetrators of this violence and injuſtice, are appointed to be judges in their own cauſe. Mr. de Foneis calls the exceptions made againſt their ſentence frivolous and trifling, but they could not appear ſuch to the unprejudiced public; nor had the Abbot and Convent of Whitby any other remedy left them for recovering poſſeſſion of their property, but appealing to that very court which had ſo lately aſſiſted in taking it from them, and where all things were to be purchaſed for money.

After this appeal was made by the Abbot and Convent of Whitby, William de Foſton and William de Sevenake, the two Vicars of Croſſeby-Ravenſwarth, both prepared to ſet out for Rome, that living being ſequeſtered into the hands of the Archdeacon of Carliſle, who appointed Adam de Waythamſtede to act as Chaplain there till the final determination of affairs. Foſton judging rightly that it would much help his cauſe to be beforehand with his adverſary, uſed the utmoſt expedition, and arrived firſt at Rome; on coming to which place he found his Holineſs, Pope Urban IV. was gone to Beneventum, to make head againſt Manfred and the faction of the Gibellines, which at that time much diſturbed the peace of Italy. Foſton, as ſoon as he was informed of this, without loſs of time left Rome, and purſued his journey to Beneventum. When he was come thither, by dint of money he inſinuated himſelf into the familiarity and friendſhip of Signior Dalphin, a Neapolitan, who was then Subdeacon and Chaplain to the Pope of Rome, and alſo Auditor General of palace cauſes to his Holineſs. Him he acquainted with all particulars relating to the buſineſs he came about; and Dalphin, in order to pave the way for reverſing the ſentence that had been paſſed by the Archdeacon of Carliſle and his Commiſſaries, granted Foſton the following inſtrument:

110 "To all who ſhall ſee or hear this public inſtrument, Mr. Dalphin of Naples, Subdeacon and Chaplain to our Lord the Pope, and Auditor General of palace cauſes to his Holineſs, greeting in the Lord. Know all of you, that Mr. William de Foſton, Clerk, appearing perſonally before us in his appeal

peal againſt William Freſell, formerly Official of Karliol, alledges as follows: Foraſmuch as in the cauſe of the appeal which by apoſtolic authority is now depending between William Freſell, formerly Official of Karliol, actor *(or proſecutor)* of the one part, and me William de Foſton, perpetual Vicar of the church of Croſſeby-Ravenſwarth, in the dioceſe of Karliol, of the other part, about the ſaid Vicarage, before the Archdeacon of Karliol, Judge-delegate of the apoſtolic See: That Judge, knowing me not to be properly or legally cited, and that I did not abſent myſelf through contumacy or diſreſpect, nevertheleſs wrongfully and unjuſtly ſet aſide the definitive ſentence paſſed in my favour by the Official of York; which things having come to my knowledge, I appeal in this cauſe from the ſaid Archdeacon to our Lord the Pope. In teſtimony whereof, and as a future memorial of what is now done, we have cauſed this inſtrument of that gentleman, written and publiſhed by the underwritten notary, to be fortified with our ſeal. Given at the city of Beneventum, in the lodgings of the ſaid Mr. Dalfin, anno Domini 1262, in the ſixth Indiction, on the 5th day of December, and in the ſecond year from Pope Urban the fourth's entering on the pontificate, before the following witneſſes: Mr. Ramund, a Canon of Ilarda; Meſſieurs Birrand de Cuniis, and Altegrado de Laureto; Mr. Bunventico of Naples; Inglo de Suanathrot; and others, who were requeſted to be preſent.

"I James Tandem of Podioboizen, being by the authority of the holy Roman Church appointed a Judge and a Notary Public, was preſent at making the aforeſaid appeal; had it from the mouth of the above-mentioned gentleman, as it is to be here read; wrote it down; reduced it into public form; and, being requeſted, ſet thereto this my preſent mark."

It is to be underſtood, that when an appeal was thus lodged, a day was always fixed for rehearing the cauſe in the court of Rome; and ſuch a day was accordingly now appointed, to examine into the merits of the cauſe between Foſton and Sevenake; but Foſton, abounding with money, had intereſt enough, before that day, to get the ſentence reverſed and ſet aſide which had been paſſed in the court of Carliſle by the Archdeacon and his Commiſſaries: He alſo found means to procure apoſtolic letters, appointing R. Archdeacon of Durham, the Prior of Kirkham, and Hugh de Roderham, a Canon of Ripon, Delegate-judges of the See of Rome in this cauſe. Foſton, as ſoon as he had procured theſe letters, without further delay ſet out in triumph for England, and what happened after his arrival will partly appear from the following record.

"Hugh de Roderham, a Canon of Ripon, and Judge-delegate of our Lord 110
the Pope, to the diſcreet men the Lord Prior of Kirkeham, his fellow Judge, and the Maſter of the hoſpital at Ripon, health eternal in the Lord. In the cauſe of the appeal committed by the apoſtolic See to me, in conjunction with the ſaid Prior, and Mr. R. Archdeacon of Dunelm *(Durham)*, to hear what

is alledged by the Abbot and Convent of Whiteby againſt the order of augmentation made in their vicarage church of Croſſeby-Ravenſwarth, in the dioceſe of Karliol, by the Official of the venerable father the Biſhop of Karliol and the Archdeacon of Karliol, to whom the ſaid Biſhop, ſupported in this affair (as he aſſerted) by the papal authority, delegated a power to act in his ſtead, I commit to you alternately a power to act in my ſtead; and if both of you cannot be preſent to execute this truſt, either of you that is preſent may nevertheleſs proceed in the ſaid affair. This commiſſion is to remain in force till I think proper to revoke it. Given at Beniſton, on the 16th of the Kalends of January, in the year of grace 1263."

By an inſtrument ſimilar to this, the Prior of Kirkham alſo empowered the Dean of Ripon to act in his ſtead; and a commiſſion being held in the prebendal church of Ripon, by the Dean of Ripon, and Maſter of the hoſpital at Ripon, as Judge-delegates of the apoſtolic See, their determination in this cauſe was as follows:

109 "In the name of the Father, and of the Son, and of the Holy Ghoſt, amen. Having heard and underſtood the merits of the cauſe about the appeal depending between the Lord Abbot of Whiteby and the Convent there, of the one part, and Adam de Waythamſted, Chaplain, their opponent, aſſerting that he had a right in the vicarage church of Croſſeby-Ravenſwarth, in the dioceſe of Karliol, to the augmentation made in that vicarage on wool and lambs, by the Official of Robert the Lord Biſhop of Karliol, and the Archdeacon of Karliol, to whom that Biſhop, as Judge-delegate of our Lord the Pope, had committed a power to act in his ſtead; we, the Maſter of the hoſpital at Ripon, and the Dean of Chriſtianity in that place, acting inſtead of the Lord Prior of Kirkeham, and Mr. Hugh de Roderham, principal Judge-delegates of the apoſtolic See, (the Reverend Archdeacon of Dunelm, our third fellow Judge, having in courſe of law, perfectly obſerved herein, lawfully excuſed himſelf in what relates to this cauſe), after the ſaid Abbot and Convent's proving their appeal, and ſhewing cauſe for making it, viz. that they had ſufficient reaſon for appealing to the apoſtolic See from the Official and Archdeacon of Karliol, who were the Commiſſaries of the ſaid Biſhop; ſeeing their vicarage church aforeſaid had already been ſufficiently taxed with regard to wool and lambs by Walter heretofore Biſhop of Karliol, of happy memory, and that the augmentation now made therein is unlawful and unjuſt, being to the great prejudice and grievance of the ſaid Abbot and Convent: Having God before our eyes, and alſo the opinions of ſeveral men learned in the law, we pronounce the ſaid appeal to be juſt, and the reaſons for making it to be good, hereby revoking, diſannulling, and ſetting aſide the augmentation and definitive ſentence paſſed by the Official and Archdeacon of Karliol, and declaring it null and void, with every thing that has followed therefrom, relating to the wool and lambs pertaining to the ſaid church under the name of tithes, adjudging theſe to be the property of the ſaid Abbot and Convent, as belonging to their Rectory, and uniting them to the ſame,

ſame, as they have always heretofore been; by this our inſtrument excommunicating all ſuch as ſhall be contumacious or refractory, ſo as not to ſubmit to our ſentence. Given in the prebendal church of Ripon, on the Friday next after the feaſt of St. John of Beverlac, in the year of our Lord 1264."

This ſentence made the court of Carliſle to tremble; they knew there was no contending againſt the Pope, and found it neceſſary to ſubmit to the decree of theſe his Delegate-judges; they renounced all claim to the augmentation now in diſpute; allowed William de Foſton again to enjoy his vicarage, and ordered Adam de Waythamſtede to yield up poſſeſſion, which he did by delivering the following inſtrument to the Abbot and Convent of Whitby:

"To all ſons of holy mother Church to whom this writing ſhall come, 94
Adam de Wathamſtede a Chaplain, greeting in the Lord. Know ye, that in the preſence of Lord Robert the Biſhop of Karliol, (he approving of my conduct) I have renounced, and do hereby give up, to Mr. William de Kyrkeham, Proctor for the Lord Abbot and Convent of Whiteby, all right and claim which I have, or may have, to the vicarage church of Croſſeby-Ravenſwarth, in the dioceſe of Karliol; as alſo all actions which have been brought, or may be brought, by me reſpecting the ſame. And becauſe my own ſeal is little known, I have procured the ſeal of the ſaid venerable father, Robert Lord Biſhop of Karliol, to be ſet to theſe preſents, in the preſence of Mr. (*Domino*) William de Whatehamſted; Mr. W. Freſta; G. de Ely, a Clergyman; Gilbert de Smytheton, a Clergyman; and others. Dated at Horncaſtle, on Palm Sunday, anno Domini 1264."

As this renunciation was made before the commiſſion was held at Ripon, it lets us plainly ſee what opinion the public had about the conteſted affairs at Croſſeby: If things had not appeared in a clear light, the Biſhop of Carliſle would at leaſt have hindered this renunciation from being made before ſentence was paſt, ſince in doubtful caſes it is not eaſy to foreſee which way the judges will determine. However, it ſeems the court of Carliſle knew they had nothing to hope for here, and therefore thought proper to quit poſſeſſion with a good grace, giving up the living to Foſton beforehand, without compulſion, or bringing things to extremities.

It has always been my opinion that Hampſtede, the Archdeacon of Carliſle, was the principal promoter of theſe diſturbances, and bore a ſecret grudge againſt the Monaſtery of Whitby. He had before this reſided many years in Yorkſhire; and whether he had then been in expectation of being elected Abbot, or had received ſome private injury from the Monks reſiding in Whitby Abbey, is impoſſible for us now to determine, but he was certainly their moſt inveterate enemy. However, they ſeemed now to deſpiſe him, and, exulting in their ſucceſs, ſet all that hated them at defiance, little expecting that things were to take another turn, and that the court of Rome,

Rome, for the ſake of money, was to reverſe and diſannul all that had been now done.

We have already informed the reader of Sevenake's ſetting out for Rome; and while Foſton continued there he never dared to ſhew his head, well knowing that he came to ſupport a rotten cauſe; but no ſooner had Foſton left that place than Sevenake began to beſtir himſelf, and to tamper with the Pope's officers, ſo that in a little time he found means to gain all that he could wiſh for or deſire; on which, elated with his ſucceſs, he returned to England, to triumph over and oppreſs the Monaſtery of Whitby. But what was done will beſt appear from the following record:

112 "Tranſactions on the eve of the apoſtles Simon and Jude, in the year of our Lord 1264, in the cathedral church of Karliol, before Mr. Robert, Rector of the church of * Dalſton, Profeſſor of the Canon law, acting inſtead of the Lord Prior of † Bredon, Judge-delegate of the apoſtolic See, appointed in due form in the cauſe or buſineſs for revoking the raſh proceedings and innovations made to the prejudice of William de Sevenake, or de Kent, Clerk, in the dioceſe of Rocheſter. It appearing to us, that after the ſaid William's return from the apoſtolic See, a day was abſolutely and lawfully fixed for revoking the raſh proceedings and innovations made in that cauſe which the ſaid William has about the church of Croſſeby, in the dioceſe of Karliol, with the Abbot and Convent of the Monaſtery of Whiteby, of the order of St. Benedict, in the dioceſe of York; the ſaid William produced before us in judgment certain letters patent, having thereat the ſeal of Mr. Thomas de Foneys, Clerk, which were authenticated by that gentleman's perſonally appearing in court, who was alſo Proctor to the Archdeacon of Karliol, as was proved by his procuratory inſtrument properly ſealed and atteſted. In theſe letters, among other things, was contained verbatim the tenor of certain letters obtained from our Lord the Pope, by the before-mentioned religious perſons, to the Archdeacons of Karliol and the Eaſt Riding of Yorkſhire, to which we put our ſeal. And it alſo appearing to us, that the aforeſaid religious perſons appealed from the Subchanter and Maſter of the Robes at Karliol, whom the Archdeacon of Karliol had deputed to act in his ſtead in the ſaid cauſe, to the apoſtolic See, on the Tueſday next after the tranſlation of St. Thomas the martyr, anno Domini 1263; which appeal the ſaid deputies admitted, and the appellant approved of. And on account of the ſaid appeal, with due ſubmiſſion to the apoſtolic See, the ſaid deputies reverently propoſed to the parties a certain term, viz. the morrow of the apoſtles Simon and Jude, anno Domini 1263, to proceed in the aforeſaid cauſe in the court of Rome, on which day the ſaid William perſonally preſented himſelf in the aforeſaid court, to proceed in his cauſe. And it further appearing to us, that the ſaid religious perſons, maliciouſly coming there before the day prefixed by the ſaid deputy Judges, had raſhly obtained apoſtolic letters, before the ſaid term, to the Archdeacons of Karliol and the Eaſt Riding of Yorkſhire, in prejudice to the ſaid William. Now we, after

* In Cumberland. † In Worceſterſhire.

after the ſaid William's return, having called upon, and diligently examined, Aſtin of Thornton, Clerk, Proctor for the ſaid Abbot and Convent, lawfully appointed, and appearing before us in their ſtead, and deſiring him if he knew of, or could produce any ſufficient reaſon, why we ſhould not revoke, diſannul, and ſet aſide the aforeſaid letters raſhly obtained, and the proceedings which followed from their authority, he ſhould now ſpeak: But he having nothing material to alledge, we, aſſiſted with the advice of ſeveral men learned in the law, after invoking the Holy Ghoſt, in preſence of the parties, who no longer oppoſe it, revoke, diſannul, and ſet aſide the aforeſaid letters, and the proceedings which followed from their authority, in the form here underwritten. When, on account of proceedings before thoſe diſcreet men, the Subchanter of Karliol and Maſter of the Robes there, in the cauſe depending before them by apoſtolic authority between the Abbot and Convent of Whiteby, of the order of St. Benedict, in the dioceſe of York, of the one part, and William de Sevenak, or de Kent, Clerk, in the dioceſe of Rocheſter, of the other part, an appeal was made for certain reaſons to the apoſtolic See; and, with all reverence to the ſaid See, a term was abſolutely fixed by the ſaid Judges, and a day appointed to the parties for appearing in the court of Rome, to proceed in the ſaid appeal. Now it having been proved before us, and it being alſo manifeſt from the apoſtolic letters obtained by the ſaid Abbot and Convent of Whiteby, that they the ſaid Abbot and Convent applied to the court of Rome, and with great malice gained ſuch letters more than ſeven weeks before the day peremptorily fixed by the ſaid Judges for proceeding in the ſaid appeal in that court, to the great prejudice of the ſaid William de Kent; and, being authoriſed by theſe letters, they raſhly proceeded againſt him by citations, commiſſions, condemnation in expences, and excommunication; when it appears by a public inſtrument to which all credit is deſervedly due, that William de Kent, on the day appointed by the aforeſaid Subchanter of Karliol and Maſter of the Robes there, actually preſented himſelf and perſonally appeared in the court of Rome, in order to proceed in the before-mentioned appeal. Wherefore we, Mr. Robert, Rector of the church of Dalſton, and Profeſſor of the Canon law, being inveſted with the authority of our Lord the Pope, whom in this caſe we repreſent, and aſſiſted with the counſel of men learned in the law, and having God before our eyes, in the name of the Father, and of the Son, and of the Holy Ghoſt, pronounce theſe letters obtained from the apoſtolic See, by the aforeſaid Abbot and Convent, againſt the ſaid William de Kent, to be null and void; wholly revoking, diſannulling, and ſetting aſide all proceedings that have been made by their authority, and abſolving the aforeſaid William from excommunication, and the expences which he had been condemned to pay, cauſed by this ſuit. Alſo we ſet aſide and diſannul every thing that followed, was done, or may be done, by the authority of the ſaid apoſtolic letters. Dated at Karliol, in the year of our Lord 1264, on the vigil of the apoſtles Simon and Jude. Witneſſes, Mr. Alexander de Rading, a Canon of the church of Karliol; the Maſter of the Robes at that place; Meſſieurs Hugh, perpetual Vicar of Steywigges (*Stanwix*);

(Stanwix); Thomas de Foneys, Proctor to the Archdeacon of Karliol; and Alan ſon of Ivo of Karliol, who are the perſons whom this buſineſs more particularly concerns; there being alſo preſent many others both of the Clergy and Laity."

It is impoſſible that any thing can repreſent to us in a clearer light the corruptneſs and degeneracy of the court of Rome at this period of time: To reverſe one day what had been done the day before, and to ſet all the chriſtian world in confuſion for the ſake of a little money, or ſome tranſitory gain, is ſuch a ſtrain of impiety as would fill any honeſt heathen with horror and diſdain. No wonder then that ſome were found in this dark age, even among the Clergy, who dared openly to condemn and oppoſe the proceedings of the Pope: Robert Grotſhed, the good Biſhop of Lincoln, about twenty years before this, not only found fault with, but preached openly againſt the venality of his Holineſs; nor could either threats or promiſes prevail upon him to alter his ſtyle, but he held the court of Rome in abhorrence, and publickly impugned ſeveral of its doctrines, to his dying day. We may eaſily imagine what confuſion this affair of Croſſeby-Ravenſwarth muſt have made in the north of England; but will more plainly ſee the ferment it raiſed there by peruſing the following record.

111 "To the venerable and diſcreet man, Thomas de Foneys, Official and Commiſſary of our Lord the Archdeacon of Karliol, Judge-delegate of the apoſtolic See, the Dean of Weſtmoreland ſends greeting in the Lord. We received your letters, the contents whereof were as follows:—Thomas de Foneys, Official and Commiſſary to our Lord the Archdeacon of Karliol, Judge-delegate of the apoſtolic See, to the diſcreet man, the Dean of Weſtmoreland, greeting in the Lord. By the authority of our Lord the Pope, with which we are inveſted, and by virtue of that obedience you owe to the apoſtolic See, we ſtrictly command and enjoin you forthwith to denounce, and cauſe to be denounced, in all the churches of your Deanery, on every ſabbath day, and other feſtivals, the Abbot, the Prior, the Sacriſt, the Treaſurer, the Precentor, the Cellariſt, and the Chamberlain of the Monaſtery of Whiteby, of the order of St. Benedict, and alſo maſter William de Foſton, Clerk, all in the dioceſe of York, to be excommunicated perſons; charging all and every individual in your deanery, under the penalty of the greater excommunication, not to communicate with them. You ſhall alſo denounce, and cauſe to be denounced, in your ſaid churches on the days aforeſaid, R. Dean of chriſtianity in Cliveland, and Aſtin of Thornton, Clerk, excommunicated by us, by apoſtolic authority, with the ſentence of the greater excommunication, on which account they are carefully to be avoided by all good chriſtians; becauſe that, on the Thurſday next after the feaſt of the purification of the Virgin Mary, the ſaid Aſtin of Thornton, at the command of the Dean of chriſtianity of Ripon, inſtigated by conſummate malice, and not to be reſtrained by any lawful admonitions, under the authority of letters raſhly obtained from our Lord the Pope, by the

the Abbot and Convent of Whiteby, preſumed to diſannul our juriſdiction and that of our fellow commiſſaries, and alſo to reverſe and ſet aſide letters lawfully obtained by us from the apoſtolic See, to the great prejudice and grievance of William de Sevanak, Clerk; and moreover, becauſe by their raſh attempts they oppoſed the excommunication which had been iſſued by our commands. By the ſame authority we order you in the ſaid places, and on the days aforeſaid, to denounce, and cauſe to be denounced, the ſentence of the greater excommunication, iſſued by us by apoſtolic authority, againſt all and every perſon who hath preſumed, or ſhall preſume, to impede the execution of our commands, or who hath been, or may be, aiding, aſſiſting, or adviſing, to hinder the ſame: You ſhall make diligent inquiſition after their names, and inform us of every thing you learn herein by the earlieſt opportunity. Moreover, you ſhall peremptorily cite the aforeſaid Abbot and Convent to appear, on the Thurſday next after the feaſt of St. Matthias the apoſtle, before us, or our fellow commiſſaries, in the cathedral church of Karliol, and to be preſent at the publication of the depoſitions and evidences in the cauſe now depending before us, about the church of Croſſeby-Ravenſwarth, between the ſaid Abbot and Convent of the one part, and the before-mentioned William of the other part; and further to do and receive, with continuation and prorogation of days, in the before-mentioned cauſe, what the order of juſtice ſhall require. Laſtly, you ſhall denounce that, in caſe of contumacy or diſobedience to our commands by the ſaid Abbot and Convent, the witneſſes of the ſaid William, will, without further delay, be admitted as evidence in the before-mentioned cauſe. What you do herein you ſhall by your letters patent fully inform us, or our fellow commiſſaries, on the aforeſaid day and place. Farewell. Dated at Karliol on the Friday next after the purification of the bleſſed Virgin Mary, anno Domini 1264.——We therefore being willing to obey your commands, (ſeeing we could not have free and ſafe acceſs to the aforeſaid church of Croſſeby, becauſe the ſaid Abbot and Convent by certain of their dependents oppoſed the execution of your commands, as we have heretofore informed you by our letters) executed the ſame in a full chapter of Weſtmoreland, at Appelby, as being the moſt public place, the Subprior of Whiteby and Chaplain of Croſſeby-Ravenſwarth being then and there preſent. In teſtimony whereof we have tranſmitted to you theſe our letters patent, and have alſo ſignified the ſame to your fellow commiſſaries. Dated at Appelby on the Friday next after the feaſt of St. Scolaſtica the Virgin, *(February 10th)* anno Domini 1264."

Thunderſtruck and confounded with this unexpected reverſe of fortune, the Monks of Whitby were now no longer able to defend themſelves againſt the violence of the Biſhop and his Partiſans: This proſecution had already involved them conſiderably in debt, and to apply again to the court of Rome for a reverſal of the ſentence, would be attended with ſo many difficulties, and cauſe ſuch an enormous expence, that it was judged proper to ſubmit for the preſent till ſome more favourable opportunity ſhould offer itſelf for redreſſing their grievances. This ſo ill ſuited with the inclinations of the

Abbot William that he ſickned upon it, and could not ſupport his ſpirits under that load of affliction with which he was overwhelmed: He languiſhed a few weeks, and actually died of a broken heart, without ever being reconciled to his enemies, or ſhewing any deſire for having their excommunication taken off, before he made his exit. His death no way relieved the Monks of Whitby, who were obliged to comply with ſuch terms as Robert, the Biſhop of Carliſle, was pleaſed to impoſe upon them, who continued to tyrannize over them, and kept poſſeſſion of Croſſeby-Ravenſwarth till the day of his death, which happened about the year 1280.

This Abbot William ſeems to have been a man of ſome conſequence, notwithſtanding the troubles in which he was involved, as may be gathered from the royal charter of King Henry III. granted him in the year 1263; the inſerting of which was then purpoſely omitted, not to interrupt the affairs of Croſſeby; but we have now inſerted it as follows:

"Henry, by the grace of God, King of England, Lord of Ireland, and Duke of Aquitain, to his Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Juſtices, Sheriffs, Rulers, Servants, Bailiffs, and all his faithful ſubjects, greeting. Know ye, that we have granted, and by this our charter confirmed, for ourſelves and our heirs, to our well-beloved * Chriſtopher the Abbot and Convent of Whiteby, the privilege for them and their ſucceſſors, for ever, to have their own verdurers in the liberty of Whiteby Strand, choſen like others in a full county of Yorkſhiremen, as is cuſtomary, to make anſwers and preſentations for treſpaſſes about hunting unlawfully within the limits of their foreſt of Whiteby, (which they poſſeſs by the donation of William de Percy, and Alan de Percy his ſon; and by the charter and grant of Lord John our father, formerly King of England; and by our confirmation); before our itinerant juſtices, on pleas of the foreſt in thoſe parts, and not elſewhere, as the Verdurers of our foreſt are accuſtomed and ought to make anſwers and preſentations of this nature. And if it ſhall ſo happen that any ſtrangers who do not belong to the liberties of the ſaid Abbot and Convent, commit a tranſgreſſion, by hunting within the limits of the foreſt aforeſaid, whom the ſaid Verdurers cannot attach, we will and grant, for ourſelves and our heirs, that ſuch tranſgreſſors be attached by the juſtice of our foreſt beyond the Trent, on the preſentation of the aforeſaid Verdurers, to anſwer for the ſame before our itinerant juſtices, on pleas of our foreſt in thoſe parts, when they come there to plead at the aſſizes, according as is the cuſtom of our foreſt; reſerving nevertheleſs to ourſelves and our heirs all forfeitures for ſuch like treſpaſſes. Witneſſes hereto are, the venerable father Peter, Biſhop of Hereford; Roger le Bigod, Earl of Norfolk, and Marſhall of England; Philip Baſſet, our Juſtice in England; Hugh le Bigod; John Maunſell, Treaſurer of York; Robert Wale; William de Wilton;

* It is not in our power to ſatisfy the reader why the Abbot of Whitby is called Chriſtopher, in the inſpeximus copy of the charter from which we have taken this; moſt probably it is owing to the negligence of the tranſcriber.

ton; Geoffrey de Langel; Ebulo de Montibus; and others. Dated by our hand at Weſtminſter, on the 10th day of March, in the 47th year of our reign."

In the year 1265, Robert of * Langtoft was choſen Abbot of Whitby; and, ſoon after his election, the more to ſtrengthen his title to the church of Croſſeby, he obtained a charter from William, ſon of Thomas de Haſtyngs, a deſcendant of Torphine de Alverſtan the firſt Grantee, in which the ſaid William, "for himſelf and his heirs, as alſo for his aſſigns and the 102
heirs of his aſſigns, remiſed and quit-claimed to theſe religious men the Abbot and Convent of Whiteby, and their ſucceſſors, all claim which he had, or any ways might have, to the advowſon of the church of Croſſeby-Ravenſwarth, or to the right of preſentation thereto, for ever; and he owned the aforeſaid religious men to be the true patrons of the aforeſaid church, to whom Torphine de Alverſtan, and his other anceſtors, for the ſalvation of their own ſouls, gave and confirmed the ſame, with two carucates of land, and their appurtenances, in Croſſeby-Ravenſwarth aforeſaid. In teſtimony whereof he ſet his ſeal to this written deed, in the preſence of Mr. William of Bramton; Adam of Haverington; Thomas Breton of Appelby; Robert de Monach; Andrew de Nateby; Symon de Sartran; and others."

About this ſame time the Abbot Robert was ſummoned up to parliament by order of King Henry III. where he was conſidered as a ſpiritual Lord during the whole term of his reign, not only by King Henry, but alſo by Edward I. ſon and ſucceſſor to Henry.

In the year 1267, "Geoffrey, ſon of Thomas of York, gave, granted, 4
and by his charter confirmed, to God, and the church of St. Peter and St. Hylda at Whiteby, and to the Monks performing divine ſervice there, and particularly to the Precentor for the time being, for procuring and repairing of books, an yearly revenue of four ſhillings, to be received out of a toft in Whiteby, ſituate in a place called Flora, *(Flowergate)*; viz. one half thereof every Whitſuntide, and the other half thereof every Martinmas; it being that toft whereof Matilda de Camera formerly poſſeſſed one half, and Ralph of Hoton the other half; and this he did on account of a certain ſum of money which the ſaid Monks gave him in his great neceſſity: To be held and poſſeſſed by the ſaid Monks as a free, pure, and perpetual alms, as freely and quietly as any alms could be poſſeſſed by them. Now Geoffrey, and his heirs, warranted, acquitted, and defended this four ſhillings yearly revenue againſt all men and women, and enſured the poſſeſſion thereof out of the ſaid toft to the Monks aforeſaid, for ever. In teſtimony whereof he ſet his ſeal to this record, in the preſence of Ralph of Midelburgh, then Seneſcal; Richer of Fyling; Robert of Lyth; Nichol Wibarn, then Bailiff; Roger the Vicar; Alexander of Doton; Geoffrey Penok; Andrew Scott; and others."

We next meet with a record, wherein mention is made of ſeveral places which are now but little known: The reader will obſerve that they are all

* Langtoft is upon the Wolds, in the Eaſt-Riding of Yorkſhire.

ſituate in the neighbourhood of Brockſay: and, if he is incited by curioſity, he may receive better information about the ſame by applying to ſuch old villagers as have lived there many years.

101 "Know all men, preſent or to come, that the controverſies which were raiſed about all pleas and complaints from the beginning of the world to the aſſumption of the bleſſed Virgin, anno Domini 1268, between Lord Nicholas, ſon of Thomas de Haſtyngs, Petitioner, and Lord Robert, the Abbot of Whiteby and Convent there, retainers, were ſettled by an amicable agreemeut in the following manner, viz. the aforeſaid Lord Nicholas, for himſelf and his heirs, gave up, remiſed, and by this his preſent charter quit-claimed, for ever, all right and claim which he had, or might have, to the donation, advowſon, or preſentation to the church of Croſſeby-Ravenſwarth in Weſtmoreland, or to the revenues of the ſaid church and their appurtenances, without any reſtriction whatſoever. He alſo ſurrendered and gave up all right and claim which he had, or might have, to the arable lands, woods, moors, and paſtures, with their appurtenances, comprehended within the following limits, viz. all along the Ryg to the weſtern part of Botekeld; thence down Bellaclyff, and ſo to Helrekeld, and thence to the Derwent; and ſo by the aſcent of the Derwent to the very ſource of the Derwent, and thence eaſterly to Bludebec; and thence, at the place called Munkeſty, croſſing Bludebec, aſcending Gateleclyff, and going to Bradelay, and ſo deſcending by Langdale Path; and all Rulethwate, to Kaldkeld, and to Holigate Well; and all Haywaclyff, lying over againſt the aforeſaid Ryg: To be held and poſſeſſed by the aforeſaid Abbot and Convent and their ſucceſſors, for ever. Reſerving nevertheleſs to the ſaid Nicholas, and his heirs or aſſigns, as alſo to his homagers in the town of Brokeſay, and to all belonging to that town, allowance and common right in the woods, moors, and paſtures, contained within the aforeſaid limits, and where ever elſe he and his anceſtors and their homagers have been uſed to claim common right, viz. in ſuch manner that he, and his heirs and aſſigns, and their homagers living in that town, may take what allowance is found neceſſary from the green and dry wood ſtanding there, under the delivery of the foreſters appointed by the ſaid Abbot and Convent, without any contradiction or hindrance from them or their ſervants: But as to ſuch dry wood as is fallen to the ground, as likewiſe for Turbary and Bruer, they may freely take what allowance they think proper without delivery or inſpection, providing they do not ſell, give away, or waſte any of theſe articles. Reſerving alſo to the ſaid Nicholas, his heirs and aſſigns, pannage for their own ſwine, as alſo for the ſwine of their homagers in Brokſay, on performing ſuch ſervice for ever, to the aforeſaid Abbot and Convent, and their ſucceſſors, as he and his anceſtors have hitherto been accuſtomed to pay for thoſe farms, viz. ten ſhillings yearly; whereof five ſhillings is to be paid every Whitſuntide, and five ſhillings more every Martinmas; and one day's plowing yearly from every plough land in the ſaid town of Brokſay, to plow the ſaid Abbot's land; alſo a man out of every houſe for one day,

day, to reap the Abbot's corn, on being ſummoned by the ſervant of the ſaid Abbot; likewiſe ſuch ſuit and ſervice at the ſaid Abbot's court as the ſaid Nicholas and his anceſtors have been accuſtomed to perform. And, on account of this conceſſion, remiſſion, and quitting of claim, the aforeſaid Abbot and Convent, for themſelves and their ſucceſſors, gave up, remiſed, and quit-claimed, for ever, all right and claim which they had, or might have, to half a carucate of land, or to any other land, in the town and territory of Alverſtan, by the gift of Torphine; to be held and poſſeſſed by the aforeſaid Nicholas, his heirs and aſſigns, for ever. But if the aforeſaid Nicholas, or his heirs, find any writing, ſealed with the chapter-ſeal of Whiteby, which ſhall contradict this agreement, ſuch writing ſhall be deemed to be null and void, and what is now eſtabliſhed ſhall be perpetual and everlaſting. Now the aforeſaid Nicholas, for himſelf and his heirs, put his ſeal to that part of this record which remained with the ſaid Abbot and Convent; and the aforeſaid Abbot and Convent, for themſelves and their ſucceſſors, affixed their chapter-ſeal to the other part of this record which remained with the ſaid Nicholas; in the preſence of Sir William de Latamer, Sir Thomas de Heſillerton, and Sir Thomas Denyas, Knights; Mr. William de Percy, a Canon of York; Mr. Roger de Heſillerton; William de Everley of Uglardby; Alan his brother; Thomas of Ebberſton; William of Morpath; Robert Buſcel; Robert of Roſton; Roger Haldan; Peter the Jaylor; Ralph of Midilſburgh; Richard of Butterwyk; and others."

"In the year of grace 1270, at Eaſter, it was thus agreed between the 6
Lord Abbot Robert, and Convent of Whiteby, of the one part, and Alan de Everley of the other part, about ſome controverſies ſubſiſting between the ſaid Alan as plaintiff, and the aforeſaid Abbot and Convent as defendants, for ſufficient and reaſonable allowance in Yburne-wood for five oxgangs of land belonging to Uglebardby, whereof four are part of the lordſhip of the ſaid Alan, and the fifth is his ſiſter Miliſant's: And an action being brought by the ſaid Miliſant againſt the ſaid Abbot, before the Juſtices of the King's Bench, by writ, for reaſonable allowance out of the ſaid wood; at length, before Lord John de Okenton, Juſticiary to our Lord the King, and Sir Adam de Seton, Knight, and other credible men *(probably a jury)* choſen by conſent of the parties, the ſaid controverſy was ended in the following manner, viz. That the aforeſaid Abbot and Convent ſhall grant to the ſaid Alan and his heirs, reaſonable allowance out of all Yburne-wood, under the inſpection of their foreſters, to build his manor-houſe on the ſaid land, or elſewhere below the ſaid town of Ugilbardby, if he ſhould rather be diſpoſed to build it there: Alſo he ſhall have what may be found neceſſary for hedging, burning in the fire, building a cow-houſe, and erecting a ſheep cote, if he think proper; but not to waſte, give away, or ſell: And on account of this conceſſion, the ſaid Alan, for himſelf and his heirs, gives up, and wholy remits, all allowance of wood for his bond-men, cottagers, and graſs-men, or herdſmen; ſo that neither he, nor his heirs, nor any one for

for him, ſhall be empowered to demand any thing more out of the before-mentioned wood than what is ſufficient for maintaining his manor-houſe, and ſupplying his other neceſſities, as before-mentioned. And for the more firmly obſerving this agreement, the parties have alternately ſet their ſeal to this record, in the preſence of Lord William of Upſall; *(William de Percy, if I miſtake not)*; and others."

122 "In the year of grace 1270, at Chriſtmas, an agreement was thus made between Lord Robert the Abbot and Convent of Whiteby of the one part, and Thomas de Chancy, Lord of Scripenbek, of the other part, viz. That whereas Adam de Chancy of Scridenbek has brought a writ of *new diſſaiſin* againſt the aforeſaid Abbot, for common right of paſturage in a certain culture of land lying between an aſh tree and the town of Battle-Bridge, with the conſent and procurement of the ſaid Lord Thomas: The Abbot and Convent aforeſaid have conſented that this culture, which is now arable land, ſhall lie for paſture, as it formerly did in the days of other Abbots, their predeceſſors, while the cultures and ſelions of the other adjoining tenants are laid for paſture; and when it ſo happens that the aforeſaid tenants convert their adjoining land into arable ground, the ſaid Abbot and Convent ſhall likewiſe plow this culture, without any moleſtation or hindrance from the neighbourhood; reſerving nevertheleſs to the ſaid Lord Abbot Robert, and the Convent of Whiteby, the eatage of ſuch corn as is now growing upon that culture. And on account of this conceſſion the aforeſaid Lord Thomas de Chancy grants and warrants, that the corn growing this year on that culture ſhall be preſerved for the uſe of the ſaid Abbot and Convent, without any claim, diminution, or waſte; and will alſo cauſe that writ of *new diſſaiſin* to be withdrawn, which the aforeſaid Adam obtained againſt the ſaid Abbot. In witneſs whereof both parties have ſet their ſeals to this written deed, in the preſence of Mr. R. Rector of Scripenbeck; Mr. W. de Potthow; William of Lincoln; Richard of Butterwyk; Roger the Cellariſt; and others."

76 In the year 1272, "Robert, by the grace of God, Abbot of Whiteby, and the Convent there, for themſelves and their ſucceſſors, gave, granted, and by their charter confirmed, to Mr. Guichard de Sharron, and his heirs or aſſigns, the well which was in the ſouthern corner of their court-yard at York, to make a conduit for water in that corner, without the fence of the ſaid court-yard, for the uſe of the Minorite Brothers in the ſame city; yet ſo as that the ſaid well in that court-yard, or any thing growing there, might ſuſtain no damage or loſs from the aforeſaid Brothers, or any employed by them, and that there be no ſtoppage of water below their court-yard. And if it ſo happen that the ſaid Abbot and Convent, or their ſucceſſors, or any belonging to them, through the negligence or bad management of the ſaid Brothers, or theſe employed by them, ſuſtain any damage or loſs in the fence of their ſaid court-yard, or in any thing growing there, or from the ſtoppage of the water on the outſide of their court-yard, unleſs the ſaid Brothers for the time being make ſatisfaction for ſuch damage or loſs, within

in

in one month after having proper warning and notice given them by the aforeſaid Abbot and Convent, this charter, donation, and grant, is thenceforward to be conſidered as null and void; and it ſhall and may be lawful for the ſaid Abbot and Convent, and their ſucceſſors, to deſtroy, or ſtop up at pleaſure, the ſaid fountain and conduit below their court-yard, without moleſtation or hindrance from the ſaid Mr. Guichard, his heirs or aſſigns, or even from the Minorite Brothers; and it is to be underſtood, that neither Mr. Guichard, his heirs or aſſigns, nor even the ſaid Minorite Brothers, for themſelves, or theſe under them, ſhall any longer claim a right or liberty of coming below the ſaid court-yard on acount of this agreement. Now in order to eſtabliſh all theſe things the more firmly, as before-mentioned, for ever, this preſent indenture was ſealed alternately with their ſeals, ſo that the ſaid Abbot and Convent affixed their chapter-ſeal to the one part, and Mr. Guichard ſet his ſeal to the other part thereof."

We have already obſerved that there were great diſputes, differences, and animoſities between the Abbot Robert, and Thomas de Chancy, Lord of Skirpenbeck: Theſe ſeemed for a time to ſubſide, on account of an agreement made between them in the year 1270; but they were ſtill badly diſpoſed to each other; and in the year 1274, Ralph Rector of Skirpenbeck dying, both parties inſiſted upon a right of preſentation to that living, on which another law-ſuit was commenced between them: This Walter Archbiſhop of York endeavoured, but all in vain, to put an end to; both parties continued inflexible, and what were the conſequences thereof will beſt appear from the following record:

" To the Reverend Lord, and Father in Chriſt, W. by the grace of God, 123
Archbiſhop of York and Primate of England, his devoted ſervant R. Official for the Archdeaconate of the *Eſt Riding*, greeting, with all the reverence and obedience due to ſo great a father. In obedience to your commands, having made inquiſition in a full chapter of Buctros, aſſembled at Scraingham on the 3d of the Nones of December, about the church of Scirpenbek, and the perſon of Mr. Henry de Mileford preſented to the ſame by the Abbot and Convent of Whiteby, he ſaith, That the ſaid church is vacant by the death of Ralph formerly Rector thereof, and has been vacant ſince the Friday next before the feaſt of St. Katharine the virgin, and that the Abbot and Convent of Whiteby ought to preſent thereto: That it is worth twelve marks according to the ancient taxation, but that a law-ſuit is begun about the ſame, becauſe Lord Thomas de Chancy oppoſes the ſaid Abbot and Convent, by preſenting another clergyman to that living: That it payeth yearly to the ſaid Abbot and Convent one mark, under the name of a penſion. As for morals and orders, his preſenters ſay that the perſon whom they have preſented is of an honeſt life and converſation, and is in Deacon's orders. In teſtimony whereof the ſaid Official for the Archdeaconate of the *Eſt Riding* ſet his ſeal to this inſtrument, executed on the day and in the place before-mentioned."

" At

" At length the right of patronage was clearly made out to be in the ſaid Abbot and Convent, and not in the Lord Thomas, on the 4th of the Kalends of March, at Alverton *(North Allerton)*, before the honourable Wiſtard de Charumer and William de Northb. Juſticiaries for our Lord the King; on which our ſaid Lord the King wrote to the Archbiſhop of York to admit ſome proper perſon to the aforeſaid church, on the preſentation of the ſaid Abbot and Convent, the which he hath alſo done."

About the year 1276, great differences having aroſe between Lord Robert the Abbot and Convent of Whiteby, of the one part, and Mr. Robert de Fangeſons, Rector of Foxholes, of the other part, about certain tithes within the limits of the pariſh of Foxholes, both parties at laſt agreed to ſtand to the determination of Walter the then Archbiſhop of York, who, after
125 carefully examining into the affair, " in the name of the Holy Trinity, ordered and definitively determined as follows, viz. That the before-mentioned Mr. Robert, Rector of the church of Foxholes, for the tenement of Andrew of Boithorp, which conſiſted of the following crofts and cultures of land, viz. in Karterſlatte."——*The remaining part of this record is wanting, and has never been in our Abbot's book.*

We find no more particulars on record relating to the Abbot Robert, but that he died in the year 1278; after which William of Kirkham was by the Chapter of Whitby elected Abbot in his ſtead, who, like his predeceſſor, was alſo ſummoned up to parliament by King Edward I. and conſidered there as a ſpiritual Lord during the whole term of his reign.

The firſt thing worthy of notice that we find in this Abbot's reign, is the death of Robert Biſhop of Carliſle, in the year 1280, who had long been a ſcourge to the Monaſtery of Whitby, with regard to their church of Croſſeby-Ravenſwarth in his dioceſe. He was ſucceeded in the See of Carliſle by Ralph of Irton, a native of Yorkſhire, ſo denominated from Irton, a ſmall town or village in the pariſh of Semar. This Biſhop was no ſooner ſettled in his See than he reverſed the determinations of his predeceſſor, and granted the Abbot and Convent of Whitby the following charter:

94 " TO all faithful Chriſtians to whom this preſent writing ſhall come, Ralph by divine compaſſion Biſhop of Karleon wiſhes eternal health in the Lord. We are of opinion that we the more earneſtly profit the univerſal church, when by our care we grant religious men freedom and leiſure to pray ſincerely and inceſſantly, whoſe upright lives and inſtant prayers are the ſupport of the holy church of Chriſt. And this we undoubtedly do when we confirm to them, as far as lies in our power, theſe charitable donations they have obtained by the liberality of faithful Chriſtians. Wherefore, that we may confirm and eſtabliſh for ever to the holy congregation of Monks at Whiteby, whom we know from our early youth to be devout in prayer and practiſers of every religious duty, the poſſeſſion of their church of Croſſeby-Ravenſwarth, about which they are ſolicitous, we have inſpected ſuch charters as they have for the ſame from our predeceſſors and metropolitans and the chapter of Karleon, as alſo from Torphine their patron, who firſt gave

gave them poſſeſſion of the ſaid church, and judge it neceſſary here to recite them, in order to confirm and eſtabliſh the ſame by our authority." The Biſhop then proceeds to inſert ſeveral charters, which the reader will meet with in the foregoing part of this hiſtory, viz. that of Ethelwald, Biſhop of Carliſle, which is in page 115; that of Roger, Archbiſhop of York, for which ſee page 142; that of Bernard, Biſhop of Carliſle, which is in page 155; that of Hugh, Biſhop of Carliſle, which is in page 165; that of Bartholomew, Prior of Carliſle, which is in page 166; that from Torphine, the firſt grantee, which is in page 100; and that from Walter, Biſhop of Carliſle, which is in page 174. After recapitulating all theſe charters verbatim, he goes on and ſays, "Now we confirm and eſtabliſh all theſe ſeveral charters, 97
donations, and grants, to our aforeſaid children in Chriſt, with regard to their ſaid church of Croſsby-Ravenſwarth, to be poſſeſſed by them for ever, for their own proper uſes. Moreover we ratify and confirm the taxation of the aforeſaid vicarage church, as ſtated by our predeceſſor Walter of bleſſed memory. And if there be any defect in any of the aforeſaid grants or confirmations, we, influenced by the divine motives of charity, through our pontifical authority, will ſupply ſuch defect or defects, after diligent conſideration or deliberation held with our council, viz. So, that for the future they may poſſeſs the ſaid church with all its appurtenances, (only reſerving the aforeſaid portion aſſigned to the Vicar there) for their own proper uſes, as heretofore they have done, and may receive the ſame for ever, wholly, peaceably, and quietly; ſaving nevertheleſs to the church of Karliol its dignity and rights in every thing pertaining thereto from the ſame. In teſtimony whereof we have cauſed our ſeal to be put to this preſent record, dated on the 6th of the Ides of June, in the year of grace 1281."

After obtaining this charter from Ralph Biſhop of Carliſle, the Abbot William and Convent of Whitby applied to the court of York, which was pleaſed to ratify and confirm what had been done by the ſaid Biſhop. "In 9
teſtimony whereof the Official's ſeal of the court of York was alſo ſet to the above charter. Dated, &c."

In the year 1289, "John *(ſurnamed Romanus)* Archbiſhop of York, and 77
Primate of England, inſpects the charters and deeds relating to Whitby Abbey, granted by the venerable Fathers and Lords Turſtan, Henry, William, and Roger, his predeceſſors," which he recites verbatim, as they are to be found in pages 86, 117, 118, and 139 of this hiſtory, and then concludes, "Now we therefore, ſpecially approving of theſe aforeſaid grants and confirmations, confirm the ſame, as far as in us lies; ſaving in all things the dignity and rights of our church at York, as alſo what pertains to that church. In teſtimony of which inſpection, approbation, and confirmation, we have cauſed our ſeal to be hung at theſe letters. Dated at Burton, near Beverlac, on the 8th of the Kalends of April, in the year of grace 1289, and of our pontificate the fifth."

About the time when William of Kirkeham was elected Abbot of Whitby, the third Lord Peter de Malo-lacu came to the poſſeſſion of the two

extenſive manors of Mulgrave and Egton; and, believing the ſame to be boundered by the river Eſke, he put in a claim to all that part of Whitby pariſh which lies on the weſt ſide of the ſaid river. Alſo at the ſame time he inſtigated Mr. John of Tocotes, who was then Miniſter of Lyth, to demand tithes from the inhabitants of Riſewarp, Aſelby, Neuham, Dunſeley, Stakeſby, and that half of Whitby which lies on the weſt ſide of the Eſke. But the landholders in theſe diſtricts not chuſing to comply with the demands of the ſaid John, he came with an armed force, in Auguſt 1280, and carried away what he called his tithes, *vi et armis*; on which the Abbot and Convent of Whitby complained to the Archbiſhop of York, who threatened to depoſe and excommunicate this John of Tocotes, unleſs he immediately reſtored all thoſe tithes he had forcibly carried away. Theſe tithes were accordingly reſtored, but a proſecution was commenced by him againſt the Abbot and Convent of Whitby, wherein he claimed not only the before-mentioned tithes, but alſo the pariſh church of St. Mary itſelf, ſituate near the Abbey gates, aſſerting it to be ſubordinate to and dependent on his pariſh church at Lyth. The cauſe being tried at common law before ſpiritual Judges, a verdict was gained againſt John of Tocotes; but he, not ſatisfied therewith, appealed to Rome, on which his Holineſs iſſued a Bull, wherein he appointed Judge-delegates here in Yorkſhire to inquire into the affair, and to give him a faithful account thereof. Hereupon a commiſſion was held about Candlemas, anno 1283, and the depoſitions of many witneſſes were taken, viz. on the behalf of the Abbot and Convent of Whitby, thoſe of Geoffrey Penoc of Whitby, aged forty nine years; of Andrew Scot, Prieſt of St. Mary's at Whitby, aged fifty years; of Lawrence, a Blackſmith in Whitby, aged eighty years; of John Herſand of Whitby, aged fifty years; of Peter of Lincoln, aged fifty years; of John of Everley, aged ſixty years; of Alexander of Cotom, aged forty one years; of Thomas, Chaplain of Hackneſs, aged ſixty years; of Moſes of Whitby, aged more than a hundred years, being the oldeſt man in Whitby Strand; of Robert the ſon of Walter of Whitby, aged ſixty years; and of Henry the ſon of Alan of Whitby, aged alſo ſixty years. Every one of theſe being ſeparately examined, depoſed, That Thordeſay Beck, which iſſued out of Mulgrave Park, was the weſtern limit of Whitby pariſh; that the bounder went from thence to Merhoue, near the corner of the Horſecroft; from thence to Swarthouecroſs, and from thence right down Brocholey Beck to the river Eſke: That it was public, notorious, and manifeſt to all thoſe who lived in Whitby Strand, that the church of St. Mary at Whitby had for time immemorial, and as they verily believed from its firſt foundation, belonged to the Abbot and Convent of Whitby, who in right thereof had ever received tithes from all thoſe places which were now claimed by John of Tocotes and Lord Peter de Malo-lacu. On the contrary, John of Tocotes witneſſes ſwore poſitively, That the manor of Mulgrave extended to the river Eſke; but not being able to diſprove the premiſes now in diſpute being in the poſſeſſion of the Abbot and Convent of Whitby, they depoſed, That, ſome ages before this, William Foſſard, (*ſee page* 92) then Lord of the aforeſaid manor, mortgaged the ſame to the Abbot and Convent of Whitby, who, on account of that mortgage, had fraudulently got poſſeſſion. To overthrow

overthrow this evidence more witneſſes were examined on behalf of the Abbot and Convent of Whitby, viz. ——————— aged ſeventy five years; ——————— aged ſixty years; Robert Theules of Whitby, aged fifty years; John de Lamb of Ryſwarp, aged forty years; William, ſon of John of Riſewarp, aged fifty years; Ralph, ſon of Alan of Sneton, aged thirty years; Adam of Harewud, in Whitby Strand, aged thirty years; Aſtine, a Monk at Whitby of nineteen years ſtanding; William, ſon of Oſbern of Dunſeley, aged forty years; and Geoffrey of Hakenes, aged forty eight years. All theſe witneſſes ſwore poſitively, That the premiſes now in diſpute were the fee or freehold of Percy, and, as they verily believed, were given by the firſt William de Percy and his ſon Alan to Whitby Abbey; and that they had never heard it ſo much as ſurmiſed before that they were at any time mortgaged to the Abbot and Convent of Whitby by William Foſſard or any other that poſſeſſed the manor of Mulgrave, ſeeing the charters and records in the poſſeſſion of the ſaid Abbot and Convent bore direct witneſs to the contrary.

A fair copy of all theſe depoſitions and proceedings being made out and ſent to Rome, a Bull was ſoon after iſſued by his Holineſs, confirming the poſſeſſion of all that part of Whitby pariſh which lies on the weſt ſide of the Eſke to the Abbot and Convent of Whitby, and commanding Lord Peter de Malo-lacu, and Mr. John of Tocotes, to give them no further diſturbance on that head; but to defray all the expences that had been incurred by this law-ſuit.

From the rolls that are yet preſerved relating to this trial we learn, that the bounders of Whitby Strand were originally ſet out by Lady Hilda, about the year 660; and that on the eaſt ſide thereof ſhe made certain dykes and ditches, which at the time of this trial ſtill continued to be known by the name of *St. Hilda's dykes*; though all theſe dykes have now loſt that name, and are moſt of them gone to decay, that only excepted which is called *Green-dyke*, adjoining to Stainton Dale.

From hence alſo we learn, that between the years 1230 and 1283 there were four of the name of Percy who lived at Dunſley, and ſucceſſively poſſeſſed the ſame, viz. William de Percy, who was living anno 1230, and was ſucceeded by Richard, after whom came Alan, and Alan was ſucceeded by William de Percy, who was living anno 1283.

Lord Peter de Malo-lacu, who was the firſt promoter of this law-ſuit, had very large poſſeſſions adjoining to Whitby Strand, and in rank and dignity was exceeded by few Noblemen in England. He ſometimes reſided at Mulgrave-Caſtle, and ſometimes in July-Park, at a place then called St. Julian's, which is long ſince gone to ruin. Whether this laſt-mentioned ſeat of his had its name in early ages from being the habitation of Julius Briganticus, or in after ages for being the retreat of ſome Hermit, called Julian, ſeems doubtful to me: But it is certain Peter lived there, and kept his deer in that park, anno 1294; and being in the neighbourhood of Groſmont, which (as I before obſerved in page 151) was a cell ſubject to the Abbot and Convent of Grandemont, in Normandy, he took the fraternity there under his protection, and granted them the following charter:

"TO all men who ſhall ſee or hear this charter, the third Peter de Malolacu wiſhes eternal health in the Lord. Know all of you, that through a motive of divine charity, for the ſalvation of my own ſoul, and that of Nicholaa my wife, and thoſe of our ſons and daughters, as alſo for the ſoul of my brother Robert, and thoſe of my other brothers and ſiſters and heirs, and for the ſouls of my father and mother, and all my anceſtors and ſucceſſors, and all faithful Chriſtians now deceaſed, I have given, granted, and by this my preſent charter confirmed, to God and the bleſſed Mary, and to brother Roger de Creſſewell, the Corrector of the houſe of the order of Grandimont in Eſkedale, and to the fraternity of the Engliſh nation reſiding in that place, and ſerving God there, and to their ſucceſſors, my mill at Eggeton, with its pond, water-courſes, and fiſheries; as alſo all ſuits, dues, cuſtoms, liberties, and eaſements whatſoever, far and near, now, or at any time heretofore, pertaining or belonging to the ſaid mill and pond: To have and to hold the aforeſaid mill, with all its appurtenances, liberties, and eaſements, as is before mentioned, by the aforeſaid Corrector and Brethren of the Engliſh nation reſiding at that place, and their ſucceſſors, of me and my heirs or aſſigns, as a free, pure, and perpetual alms, freely, quietly, wholly, peaceably, well and honourably, without any contradiction, impediment, or claim from me or my heirs or aſſigns, and without any reſtriction, for ever. Moreover, I will and grant, for myſelf, and my heirs or aſſigns, that the ſaid Corrector and Fraternity, and their ſucceſſors, ſhall have out of my foreſt of Eggeton, ſufficient main timber, as well oak as alder, whenever it is wanted, for the neceſſary repairs of the ſaid mill and pond, under the inſpection and delivery of my foreſters, without contradiction, impediment, or delay, from me, or my heirs, or aſſigns, or my bailiffs. Likewiſe, all the homagers of me, and my heirs or aſſigns, ſhall be bound to perform all manner of ſervice pertaining to the ſaid mill and pond, not only in the carriage of ſtones and main timber, but alſo in every repair which it may be found neceſſary from time to time to make in the ſaid mill and pond, as they have heretofore been accuſtomed to perform the ſaid ſervice in the days of my father and my anceſtors: And if any of theſe homagers withdraw themſelves from any ſuit or ſervice belonging or appertaining to the ſaid mill and pond, I will and allow my bailiffs, and the bailiffs of my heirs and ſucceſſors, to diſtrain upon them for the aforeſaid ſuit and ſervice, till the ſame is entirely performed, and the ſaid Corrector and Fraternity, and their ſucceſſors, receive full ſatisfaction, in the ſame manner as I, and my father, and my anceſtors, have been accuſtomed to receive the ſame before this charter was granted. Now, on account of this donation, conceſſion, and quitting of claim, the ſaid Corrector and Fraternity, and their ſucceſſors, ſhall find two Chaplains over and above the number they had before the time of granting this charter and enfeoffment from me and my anceſtors, and ſhall maintain them for ever, to celebrate divine ſervice for the ſouls aforeſaid, every day in the year, in the church of the bleſſed Virgin Mary belonging to the ſaid houſe; and ſhall moreover chant by note yearly in the choir there the obit of my father and of my mother, and of my wife Nicholaa, for every ſervice, ſecular cuſtom, exaction, and demand. And if it

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ſo happen that the aforeſaid Corrector and Fraternity, or any of their ſucceſſors, at any time hereafter, fail (which God forbid) in maintaining the aforeſaid Chaplains, by moving them away, or withdrawing the aforeſaid chantry, and ſufficient proof thereof be made, then it ſhall and may be lawful for me and my heirs or aſſigns, and whomſoever we appoint for that purpoſe, to diſtrain upon the aforeſaid Corrector and Fraternity, and their ſucceſſors, by the aforeſaid mill, and to keep that diſtreſs, till full ſatisfaction is made for all arrearages of the chantry. Now I, the aforeſaid Peter, and my heirs or aſſigns, will warrant, acquit and defend, againſt all men and women, for ever, the aforeſaid mill, with all its appurtenances, in every thing as is aforeſaid, to the ſaid Corrector and Fraternity and their ſucceſſors, and to their church of the bleſſed Virgin Mary, for the aforeſaid ſervice, as our free, pure, and perpetual alms. Furthermore, my will is, among other things, that the viſitors of Grandimont-houſe, or ſome brother from the parts beyond ſea, ſhall have ſome pittance or ſupply from the ſaid mill, and the other temporalities of my enfeoffment belonging to the aforeſaid houſe, in order to make conſumption thereof, as they have been uſed to receive the ſame in the time of my anceſtors. In teſtimony whereof, my ſeal, and the ſeal of the aforeſaid Corrector, are mutually put to this charter, made in form of a cyrograph. Witneſſes, Mr. Robert de Malo-lacu; Mr. Stephen de Malo-lacu; Mr. Henry de Kithel; Mr. William de Roſeles; Mr. Richard de Tweng; Robert of Lelum; William of Lelum; Alan of Huwet; and many others. Dated at St. Julian's, on the day of bleſſed Batholomew the apoſtle, in the year of our Lord 1294."

About the year 1290, "Simon the Porter of Whiteby, with the will and conſent of Agnes his wife, gave, granted, and by his charter confirmed, to God, and to the church of St. Peter and St. Hylda at Whiteby, and to the Monks ſerving God there, for buying of books, a revenue of four ſhillings, to be received by the Precentor, from the houſe of Alexander the weaver, (being that next the houſe of William the ſon of Petronilla) for which the ſaid Alexander had paid him yearly four ſhillings. Now the ſaid Simon and his heirs warranted and defended this revenue againſt all men to the aforeſaid Monks and their ſucceſſors, for ever: And that his donation, grant, and charter might be the better confirmed and eſtabliſhed through future ages, he ſet his ſeal to this preſent record, before William of Lincoln, then Seneſcal of Whiteby; Geoffrey Scott, then Bailiff of Whiteby; Hugh de Sartrine; Geoffrey Penok; Peter of Lincoln; Andrew Scott; Roger the Cellariſt; Thomas Martiall; and others." 2

In the year 1292, "Thomas Skyn, ſon of Richard Skyn of Whiteby, gave, granted, and by his charter confirmed, to God, and the church of St. Peter and St. Hilda at Whiteby, and to his Lords the Abbot and Convent ſerving God there, as a pure and perpetual alms, for buying them books, half a toft of land, with its appurtenances, in the town of Whiteby, viz. that half toft which lay between the land of Walter, the ſon of William the Fuller, and the land of Iſabel Fox: To have and to hold the ſame, by the ſaid Abbot and Convent, and their ſucceſſors, well and peaceably, freely, quietly, and wholly, with 3

with its appurtenances, clear from all ſecular ſervice, for ever. Now the ſaid Thomas, his heirs and aſſigns, warranted, acquitted, and defended, againſt all men, for ever, the ſaid half toft of land, with its appurtenances, as a pure and perpetual alms: And that his donation, grant, and confirmation, might remain firmly eſtabliſhed through future ages, he ſet his ſeal to this charter, in the preſence of William of Lincoln, then Seneſcal; Geoffrey Scott; Roger the Vicar; Hugh de Sartrine; Andrew Scott; Geoffrey Penok; Thomas Page; Thomas of Lincoln; and others."

3 In the year 1294, "Thomas de Bermingham of Whiteby, ſon of Robert de Bermingham, gave, granted, and by his charter confirmed, to God, and the church of St. Peter and St. Hylda at Whitby, and to the Precentor for the time being, for buying of books, an yearly revenue of eighteen pence, half at Whitſuntide, and the other half at Martinmas, out of a certain half toft of ground in Whitby, in a ſtreet called Flora, which his father received by the gift of Thomas de Anelagby, lying between the land of Bartholomew the ſon of Alexander on its eaſtern ſide, and the land of Ralph the fiſherman on its weſtern ſide: In ſuch manner, that nine of theſe eighteen pence were his own ſpecial gift, and the other nine were due to the Precentor as an old rent out of the ſaid toft. And if it ſo happened that the ſaid revenue was ever with-held or kept back by him or any of his heirs, then it ſhould and might be lawful for the Precentor to enter upon the ſaid toft, and keep it in his own hand, till full ſatisfaction was made, not only for the rent, but alſo for all ſuch arrearages as were then due. In teſtimony whereof, the ſaid Thomas ſet his ſeal to this charter, in the preſence of William of Lincoln, then Seneſcal to the Lord Abbot; John Herſand; Andrew Scott; Geoffrey Penok; John of Hilderwell; and others."

4 In the year 1296, "Hugh, ſon of Alexander Suanball, gave, granted, and by his charter confirmed, to God, and the church of St. Peter and St. Hylda at Whiteby, and to the Abbot and Monks ſerving God there, for the uſe of the Precentor of that houſe, three ſhillings yearly revenue, out of the ſhop and *ſollar* of his houſe in Hakelſougate in Whiteby, towards the ſtreet; to be received at two terms yearly, viz. half at Whitſuntide, and the other half at Martinmas. And if it ſo happened that the aforeſaid revenue was behind hand after any one term, and enough was not found to diſtrain on in the ſaid ſhop and *ſollar*, whence this revenue might be paid; then he willed and allowed, for himſelf and his heirs, that the ſaid Abbot and Monks ſhould diſtrain for the aforeſaid rent, and all arrearages, in any part of his ſaid houſe at their pleaſure, without any impediment from him or his heirs, for ever. In witneſs whereof he ſet his ſeal to this charter, in the preſence of Hugh de Sartrine; John Herſand; Geoffrey Penok; William of Lyth; John of Hilderwell; Robert Page; William Hertaſe; and others."

7 In the year 1298, "W. by the grace of God, Abbot of Whiteby, and the Convent there, by their written Cyrograph, granted to their well-beloved John Barde reaſonable allowance out of their wood in Yburne, under the inſpection and delivery of their Foreſter, during the whole term of his life, to build his manor-houſe in Uglardby, as alſo to burn and hedge with; but not

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to waſte, give away, or ſell: Yet ſo as that the ſaid John, on account of this conceſſion made him, was to require none for his bondmen, cottagers, graſsmen, or herdſmen, or any of his other tenants; nor ſhould any of his heirs, aſſigns, or ſucceſſors, claim any right or liberty to this allowance. In witneſs whereof the parties alternately ſet their ſeals to this writing, in the preſence of William de Everley, Lord of Uglardby; Peter de Faceby; Geoffrey de Everley; William Herman; Geoffrey of Lith; and others."

In the year 1300, "Thomas Wybern, and Andrew his ſon and heir, gave, granted, and by their charter confirmed, to Alexander Her, and Julian his wife, half a toft of land, with the buildings and eaſements belonging thereto, in Whiteby, adjoining the land which formerly was Thomas's, the ſon of Iſabel, on its ſouthern ſide, and the land of John Pok, on its northern ſide: To be held and poſſeſſed by the ſaid Alexander and Julian, their heirs and aſſigns, for ever, as a freehold and inheritance from the ſaid Thomas and Andrew, their heirs or aſſigns, freely, quietly, and peaceably; on paying yearly for the ſame to the ſaid Thomas and Andrew, their heirs or aſſigns, three ſhillings and ſix pence in ſilver, viz. half at Whitſuntide, and the other half at Martinmas; and to the Precentor of the conventual church of St. Peter at Whiteby for the time being, twelve pence at the ſame terms; and alſo ſuch burgage to the Lord Abbot of Whiteby as pertained to half a toft of land in that town, for every ſecular ſervice, cuſtom, or demand. Now they the ſaid Thomas and Andrew, their heirs and aſſigns, warranted the ſaid half toft of land, with its buildings, appurtenances, and eaſements, to the aforeſaid Alexander and Julian, their heirs and aſſigns, againſt all men and women, for ever. In teſtimony whereof they ſet their ſeals to this preſent charter, in the preſence of Peter de Faiceby, then Bailiff of Whiteby; Geoffrey Penok; Alexander Scott; William of Lyth; John Herſand, William, ſon of Herman; William of Everley; Geoffrey of Lyth; Robert Page; Roger the Dyer; and others." 2

In the year 1303, "Robert, ſon of Robert, ſon of Matilda, of Aton in Cliveland, remiſed, ſurrendered, and wholly quit-claimed, for himſelf and his heirs, to John of Thorp in Aton, and Alice his wife, their heirs and aſſigns, all right and claim which he had, or any ways might have, to four oxgangs of land, with their appurtenances, and two tofts, in the town and territory of Aton in Cliveland, which Robert his father formerly held, while he lived, in that town, of the Prioreſs and Convent of Grendale, alias Baſdale; ſo that neither he, nor his heirs, nor any in their name, might demand any right or title to the aforeſaid four oxgangs of land, with their appurtenances, or to the two tofts, from the time of ſigning theſe preſents, till the term of 20 years was fully compleat and ended. In teſtimony whereof he ſet his ſeal to theſe preſents. Dated at Aton, on the Friday next before the feaſt of the Holy Trinity, in the year of grace 1303." 115

In the year 1304 died William of Kirkham, Abbot of Whitby, and was ſucceeded by Thomas of Malton, who, by the unanimous conſent of the Chapter at Whitby, was elected Abbot in his room. Soon after his election he was ſummoned up to parliament by King Edward I. and afterwards by King Edward

ward II. being always conſidered as a ſpiritual Lord by both, till the year 1322, when he reſigned his office, retired from the world, and became once more an humble Monk, without either title or place.

118 In the beginning of his reign, viz. anno 1304, "John de Enyri granted, remiſed, and wholly quit-claimed, for himſelf and his heirs, for ever, to God, and the church of St. Peter and St. Hylda at Whiteby, and to the Monks ſerving God there, all right and title which he had, or might have, to the advowſon of the church of Kirkeby in Cliveland, with its appurtenances; ſo that neither the ſaid John, nor any of his heirs, ſhould be able henceforward to have any right or claim to the advowſon of the aforeſaid church, with its appurtenances, for ever. In teſtimony whereof he ſet his ſeal to this preſent charter, in the preſence of William de Roſels; Adam of Elredby, *(Ellerby)*; William de Wardhon; William de Percy of Dunſley; John Wirfanke; Richard Landmote; John Herſand of Whiteby; and others. Dated at Whiteby, on the Sunday next after the feaſt of St. Martin in winter, in the thirty third year of the reign of Edward, ſon of King Henry."

In the ſucceeding year we find the following record relating to the church of Sutton upon Derwent, near Wheldrake:

87 "In the name of God, amen. In the year from the incarnation of our Lord 1305, the 3d indiction, and 5th day of the month of May, in the preſence of me the underwritten Notary-Public, and the underſigning witneſſes, in the Chaptery of the great church of St. Peter at York, the See being then vacant, before Mr. Robert de Ryplingham, Chancellor of the ſaid church at York, and Mr. John de Crancumbe, Archdeacon for the Eaſt Riding, and a Canon of the before-mentioned church, then reſiding in the ſaid city of York, and repreſenting the Chapter aforeſaid, perſonally appeared Lord Thomas of Malton, Abbot of the Monaſtery of Whiteby, in the dioceſe of York, and Henry de Rillington, Clerk, repreſentative of the ſaid Monaſtery, and Proctor for the ſame, as evidently appeared to me the Notary from inſpecting his procuratory inſtrument. Now the ſaid Abbot for himſelf, and the aforeſaid Henry for the Convent, having preſented Mr. John de Wodhows, Clerk, to the church of Sutton upon Derwent, then vacant, ſurrendered and delivered up all right and claim to the ſaid preſentation to the Canons of the aforeſaid Chapter, as undoubtedly belonging to them, expreſsly proteſting before the ſaid Canons, that they had ſpontaneouſly and willingly preſented the ſaid Mr. John to the church aforeſaid out of a mere motive of charity, and not out of any right or claim they had ſo to do, nor through any deſign of interrupting the title of the ſaid Chapter: The which proteſt thus made, the Canons of the ſaid Chapter took in good part, and acquieſced therein. Theſe things were done in the Chapter aforeſaid, in the year, indiction, month, and day before-mentioned, in the preſence of Mr. Adam de Coupland, Rector of the church of Foxhols; Richard Trouſluf, and Mr. Geoffrey de Loam, Vicar of the church of St. Peter at York, who were called upon and requeſted to be witneſſes to the premiſes. And I Hugh de Naſſington, Clerk, in the dioceſe of Lincoln, being a Notary-Public appointed by imperial authority, was preſent

preſent with theſe witneſſes to the premiſes, wrote down with my own hand what is contained therein; reduced it into this public form; and, being requeſted, ſet thereto my uſual mark."

We have next, in the year 1308, "A copy of the charter which Landale- 71
hedes had for their lands under Hardalehede, in which William ſon of Robert of Dales gave, granted, and by his charter confirmed, to William the ſon of Moriel of Wiſpodale, his heirs and aſſigns, all the land, wood, meadow, and paſture which he had between Hardalehede and Langdalekeld, containing thirty four acres, with all their appurtenances, in the town and territory of Dales, to be held and poſſeſſed by the ſaid William, his heirs or aſſigns, of the capital Lord of the manor *(the Abbot of Whitby)*, freely, quietly, wholly, well and peaceably, for ever, on paying yearly for the ſame, to the ſaid William and his heirs, one ſilver penny only, at the birth-day of our Lord, and performing the uſual ſervice for the ſame due to the capital Lord of the manor, for all ſecular ſervices, exactions, and demands. Now the ſaid William, ſon of Robert of Dales, and his heirs, warranted, acquitted, and defended all the ſaid land, wood, meadow, and paſture, with their appurtenances, as is aforeſaid, to the ſaid William, ſon of Moriel of Wiſpodale, his heirs or aſſigns, againſt all men and women, for ever. In teſtimony whereof he ſet his ſeal to this preſent charter, in the preſence of Peter of Faſceby, then Seneſcal of Whiteby; Robert de Wileme; Robert de Everley; William de Fiſſeburne; Geoffrey, ſon of William de Everley; John Danyell of Anlakby; and many others."

The Monks of Whitby had now for many years held peaceable poſſeſſion of the church of Croſſeby-Ravenſwarth, and, being deſirous to gain upon their neighbours, wanted to extend the limits of that pariſh, large and extenſive as they were, claiming the church or chapel of Overton, from the Prior and Convent of Coningſhed, as dependent upon and part of their pariſh of Croſſeby. This produced long wrangling; and nothing could be more juſt and equitable than the method taken by the Canons of Coningſhed to put an end to that diſpute, who were willing that all affairs ſhould be referred to the particular friends, and ſpiritual neighbours here in Yorkſhire, of the Monks of Whitby, in whoſe integrity they ſeem to have placed much confidence. The inſtrument or deed whereby they obliged themſelves to this was as follows:

"By this preſent writing it appears to all men, that diſputes having aroſe 97
between thoſe religious men the Abbot and Convent of the Monaſtery of Whiteby, of the order of St. Benedict, in the dioceſe of York, obtaining for their proper uſes the parochial church of Croſſeby-Ravenſwarth, in the dioceſe of Karliol, and claiming the towns of Overton, alias Over-ryg, Bogeſfeld, Keldelith, Sunnebryggyn, Reyeſbeck, Langdale, Tybba, Ronneſtwath, Scaleſparke, Ellergyll, and Gageſgyll, and the lands, fields, poſſeſſions, cultures, things, animals, and perſons in the ſaid towns to be within

the limits of their ſaid church of Croſſeby, and the tithes thereof to be their due, as the right and property of the ſaid church; alſo aſſerting that they have been poſſeſſed of, and rightfully received, all and ſingular the ſaid tithes ariſing from theſe lands, fields, poſſeſſions, cultures, things, animals, and perſons in the aforeſaid towns, of the one part; and us the Prior and Convent of Conyngeſhed, of the order of St. Auguſtine, in the ſaid dioceſe of York, of the other part, affirming the church of Overton, alias Over-ryg, is, and always has been, a parochial one, and has, and ever had, diſtinct and proper limits; and that we have obtained, and ought to obtain, that parochial church for our proper uſes, with all the tithes, whether great or ſmall, ariſing from all the aforeſaid towns of Overton, alias Over-ryg, Bogesfell, Keldelith, Sunnebyggyng, Reyſbeck, Langdale, Tybbay, Ronneſtwath, Scaleſparke, Ellergill, and Gageſgill, as being within the limits of the ſaid church of Overton, alias Over-ryg, and titheable by the ſame; as are likewiſe all the perſons, animals, and things belonging to theſe towns; which tithes pertain, and have always pertained, to us the Prior and Convent aforeſaid, on account of the right and property we have in the ſaid church of Overton, alias Over-ryg; and we have been for time immemorial in full and peaceable poſſeſſion of the ſame, and have rightfully received all and ſingular the ſaid tithes. Now we, the Prior and Convent of Conyngeſheued aforeſaid, maturely conſidering our religious ſtate, and being more in love with the deſirable bleſſings of peace than the litigious and uncertain windings of the law, willingly and readily chuſe to abide by the determination of good and pious men; on which account, by the advice of our friends, we wholly and entirely ſubmit and ſubject ourſelves, with regard to all matters now in diſpute between us and the Abbot and Convent of Whiteby, to the order, award, arbitrament, ſentence, and decree of theſe venerable men, Mr. William de Pikeryng, and Robert de Pikeryng, his brother-german, Canons of York, and John, Prior of Bolton in Craven; ſo that it ſhall and may be lawful for the ſaid venerable men to examine what is our right, and in all things to determine for or againſt us, our ſucceſſors, and Monaſtery, as to them ſhall ſeem proper. And we, the Prior and Convent of Conyngeſheued aforeſaid, (viz. the Prior perſonally, and the Convent by John de Schirburn our lawfully appointed Proctor) for ourſelves and all our ſucceſſors, promiſe upon our corporal oaths faithfully to obſerve and ſtand by ſuch determination as they ſhall make. In teſtimony whereof our common ſeal is hung to theſe preſents. Dated in our chapter-houſe at Conyngeſheued, on the Thurſday next after the feaſt of the tranſlation of St. Thomas the Martyr, viz. on the 10th day of the month of July, in the year of grace 1310."

104 By an inſtrument ſimilar to this, the Abbot of Whitby, perſonally, and the Convent there, by Henry de Rillington, Clerk, their Proctor lawfully appointed, obliged themſelves alſo upon their corporal oaths to abide by and ſtand to the determination of the above-mentioned gentlemen. On which a commiſſion being held in the chapter-houſe of St. Peter's at York, the following record is the award that was there made.

"In

" In the name of God, amen. Know all men by theſe preſents, that we, 104
William de Pykrynge, and Robert de Pykryng his brother-german, Canons of York, and John, Prior of Bolton in Craven, having received certain ſubmiſſions, engagements, or bonds, from thoſe religious men the Abbot and Convent of Whiteby, of the order of St. Benedict, in the dioceſe of York, of the one part, and from the Prior and Convent of Conyngeſheued, in the ſaid dioceſe, of the other part, expreſſed in the following words." *(Here both the above-mentioned inſtruments are particularly recited verbatim.)* " For the ſake of peace and mutual concord between the two parties, we do admit and accept of theſe ſubmiſſions, engagements, or bonds, made to us by the conſent of both parties; and having carefully and diligently examined into the rights, claims, deſires, and demands of each party, do order, award, appoint, determine, and decree, That, without lett, diſturbance, or hindrance from the Abbot or Convent of Whiteby in any eccleſiaſtical or ſecular court, the Prior and Convent of Coningeſheued ſhall poſſeſs and enjoy, for their proper uſes, for ever, the aforeſaid pariſh church of Overton, alias Over-ryg, with all its rights and appurtenances; as alſo all the tithes, both great and ſmall, ariſing from the towns of Overton, alias Over-ryg, Bogesfell; Keldlith, Sunnebygyng, Riſebeke, Langdal, Tilbay, Renneſtwath, Scaleſpark, Ellergill, and Gageſgill; as likewiſe from the lands, fields, poſſeſſions, cultures, things, animals, and perſons, belonging to the ſaid towns, for ever; and may diſpoſe of the ſame at pleaſure, wholly, peaceably, and irrefragably, without any right, claim, action, ſuit, or proſecution, from the ſaid Abbot and Convent of Whiteby, or their ſucceſſors, for the ſaid church, or the ſaid tithes, or any part of them. The ſaid Abbot and Convent of Whiteby ſhall, *bona fide*, reſtore, deliver, and give up, to the Prior and Convent of Coningeſhed, all and ſingular the writings, deeds, evidences, and records, now in their cuſtody, or which may come to their hands, relating to the ſaid church of Overton, alias Over-ryg, or to the tithes of the before-mentioned towns; all and every of which deeds are hereby declared to be null and void in what may promote the intereſt or advantage of the Abbot and Convent of Whiteby for any more claiming the ſaid church or tithes. Moreover, the ſaid Abbot and Convent of Whiteby, by letters patent under their common ſeal, ſhall give a general releaſe to the Prior and Convent of Coningeſheued, whereby for themſelves, their ſucceſſors, and Monaſtery, they ſhall acquit and diſcharge them from all actions, ſuits, and proſecutions, now depending, or that might hereafter be commenced againſt them, on account of the ſaid church or tithes." The remaining part of this award is of ſo little conſequence, that we think it would be improper to inſert it here, and therefore ſhall only inform the reader that it is " dated in the chapter-houſe of St. Peter's church at York, on the fourth day of the month of Auguſt, in the year of grace 1310; and each part thereof ſealed with four ſeals."

In a ſubſequent record the Prior and Convent of Conyngeſheued accept 98
and approve of this award and arbitration made by William de Pykerynge, and Robert de Pykryng his brother-german, Canons of York, and John Prior of Bolton in Craven, promiſing in all things to conform thereto, and

abide by the ſame; and if any breach ſhould afterwards happen between the two Monaſteries about the the church of Overton, and the tithes there, or any thing mentioned in this award, then, if the ſaid Prior and Convent were the aggreſſors, they oblige themſelves by their oath to forfeit to the fabric of the church of St. Peter at York one hundred marks ſterling, to be recovered of them, without any ſuit or judicial proceſs, in eight days time after being adviſed ſuch breach has been made by them. In teſtimony whereof they ſet their common ſeal to theſe preſents, dated, in their chapter-houſe at Conyngeſheued, on the 13th day of the month of March, in the year of grace 1310.

To me this record ſeems to have been wholly unneceſſary, as it could anſwer no good purpoſe, every article in the award appearing to have been in favour of the Prior and Canons of Conyngeſheued, which it therefore was their intereſt to conform to. Had the Abbot and Convent of Whitby laid themſelves under ſuch an obligation, who were worſted in every claim they had made, it might have been of ſome ſervice for preſerving peace and unity between theſe two houſes: But it does not appear that this was ever done by them.

4 In the year 1311, "William de Everley, Lord of Ugylbardby, granted, remiſed, and wholly quit-claimed, for himſelf and his heirs, for ever, to the Lord Abbot and Convent of Whiteby, and their ſucceſſors, all right and claim which he had, or any ways might have, to common right of paſturage, or any other right whatſoever, in any of their cloſes or incloſures, made before the writing of this preſent record, in Eſkedal and Yburn, or in any other place whatſoever of the moors, woods, and waſte belonging to the ſaid Abbot and Convent, or to the church of Whiteby, except in a certain cloſe called the Haygarth, from which he was to be reſtrained for three years only after the next enſuing feaſt of St. Michael. All the ſaid cloſes and incloſures were to be held and poſſeſſed ſeverally and ſeparately by the ſaid Abbot and Convent, and their ſucceſſors, freely, wholly, quietly, and peaceably, for ever; ſo that neither the ſaid William, nor his heirs, nor any one for them, or in their name, ſhould have any right or claim in any of the aforeſaid incloſures to common right of paſturage, on account of their free tenements in Ugylbardby, or on any other particular account, except in the Haygarth, to which after the expiration of three years they were to have a right. Now the ſaid William, and his heirs, hereby renounced and ſurrendered all right of commoning in theſe cloſes for ever; reſerving nevertheleſs to himſelf and his heirs reaſonable allowance out of the ſaid incloſures in Eſkedal and Yburn, agreeable to what is more fully mentioned in a certain deed left by his anceſtors, *(ſee page* 221*)*. But the right of common paſturage in the ſaid incloſures of Eſkedale and Yburn was ſtopt from the day of writing theſe preſents, with an intent that the wood cut down there by the ſaid Abbot and Convent might be ſuffered to grow again for three years, without any interruption, hurt, or hindrance from the ſaid William and his heirs. In teſtimony whereof he ſet his ſeal to that part of this written cyrograph which remained with the ſaid Abbot and Convent, as did the Abbot and Convent their chapter-ſeal to that part which remained with him. Witneſſes, Alexander de Percy, and Robert

Robert Acklome, Knights; Peter of Lyncoln; William of * Whiteby-Hall; Robert of Everley; John Lepiz; John of Wykham; and others. Dated at Whiteby, on the 30th day of Auguſt, in the year of grace 1311."

There is another record from William, eldeſt ſon and heir at law to this William de Everley, in the ſame words as that from the father, wherein he alſo for himſelf, and his heirs, renounces and gives up all right and claim to common right of paſturage in the incloſures of Eſkedale and Yburn. By theſe two records it ſeems to me that the Everley family were then upon the decline, otherwiſe they would never have parted with or given up a right which ſo greatly diminiſhed the value of their paternal eſtate in Ugglebardby and Yburn, to which it is certain they were ſufficiently intitled by the purchaſe deeds of the year 1182, *(ſee page* 129*)*. But it is probable this was done for ſome valuable conſideration, and that the Abbot and Convent of Whitby gave them a conſiderable ſum of money for thus renouncing their claim. Be that as it will, this is the laſt account we have in the Abbot's book of the Everley family; nor is it probable that they reſided many years after this period at Ugglebardby; for when the great riot happened there, anno 1382, we find mention made of no ſuch name as Everley; their poſſeſſions there were then either ſold; or, for want of a male heir, had deſcended to the females; and this laſt is what I apprehend was the caſe; for, about the year 1470, the records inform us, that "William Kemp, and Rede of † Denhaul, excluded the Abbot and Convent of Whiteby from common right of paſturage in Denhaulfeld and Redyng, from Redyng Gate as far as the way called Garcot;" which land there is ſome reaſon to believe was the very Haygarth beforementioned to be ceded to Sir William de Everley, and which the anceſtors of Kemp and Rede obtained a right to by marrying the female heirs of the Everley family. Theſe men were certainly poſſeſſed both of power and abilities, ſince they had intereſt enough, not only to aſſert their right, but alſo to recover back part of theſe encroachments that had been made on their eſtate by the Monaſtery of Whitby.

In the year 1313, "Thomas, by divine permiſſion Abbot of the Monaſtery of Whiteby, and the Convent there, granted, and demiſed to farm, to Richard Landmote, the half of a toft in Floregate in Whiteby, lying between the two tofts of William de la Sale; to be held and poſſeſſed by the ſaid Richard, his heirs or aſſigns, of them and their ſucceſſors, freely, wholly, and peaceably, from the feaſt of St. Martin in winter, in the year of grace 1313, till the term of forty years thence next following was fully complete and ended, on paying for the ſame annually, to their Precentor for the time being, four ſhillings of ſilver, in two equal portions at Whitſuntide and Martinmas. Now the aforeſaid Richard at his own expence might build new houſing

* We have good authority for aſſerting that Whitby Hall was on the north ſide of the tolbooth, on or near that very plat of ground where the houſe ſtands in which Mr. Ralph Strong now lives, ſince there were ſome remains thereof in that place ſo late as the year 1700.

† Dean Hall, not ſo called from a Dean living there, much leſs from being the habitation of ſome conſiderable Dane; but from its ſituation in a dean or low ground between two hills.

houſing on this half toft, but at the end of the ſaid term that houſing was finally to become the property of the ſaid Abbot and Convent, and their ſucceſſors, who warranted, acquitted, and defended againſt all men this half toft to the ſaid Richard, his heirs or aſſigns, till the end of the aforeſaid term. In teſtimony whereof they ſet their chapter-ſeal to one part of this written cyrograph, and the other part was confirmed by the ſeal of the ſaid Richard."

110 In the year 1313, we find alſo the following imperfect memoir: "In the name of the Lord, amen. In the year from the incarnation of our Lord, according to the courſe and computation of the church of England, 1313, being the 12th indiction, on the 25th day of the month of January, in preſence of the witneſſes under-written, and of me the under-written Notary-Public, before the venerable Father William, by the grace of God Lord Archbiſhop of York, Primate of England, in the ſaid Father's chapel, below his manor-houſe at Scroby, perſonally appeared, &c."——*The remaining part of this record is wanting; and all that we can add further concerning it is, that it related to the church of Croſſeby-Ravenſwarth in Weſtmoreland.*

115 In the year 1316, "the Prioreſs and Convent of Nuns at Grendale, alias Handale, for themſelves and their ſucceſſors, gave up, remiſed, and wholly quit-claimed, to thoſe religious men the Abbot and Convent of Whiteby, and their ſucceſſors, and to John de Thorp and Alice his wife, their heirs and executors, all claims, ſuits, and actions, which they had, or might have againſt them, on account of any demiſe made to them, for a term of years, of lands and tenements belonging to the ſaid Prioreſs and Convent at Aton in Cleveland, *(ſee page 231)*, ſo that neither they, nor their ſucceſſors, nor any one for them, or in their name, ſhould for the future be able to diſturb or proſecute the ſaid Abbot and Convent, or their ſucceſſors, or John de Thorp and Alice his wife, their heirs and executors, on account of demiſing the aforeſaid lands and tenements, or for any other account, from the beginning of the world to the day of the date of theſe preſents. In teſtimony whereof they ſet their common chapter-ſeal to theſe preſents, dated at Grendale, alias Handale, on the Wedneſday next before the feaſt of St. Botuloph *(June 17th)* in the year of grace 1316."

4 In the year 1318, "Alexander Her of Whiteby remiſed, and wholly quit-claimed, for himſelf and his heirs, for ever, to theſe religious men the Abbot and Convent of Whiteby, and their ſucceſſors, for the uſe of almsgiving, all the right and claim which he had, hath, or at any time hereafter might have, to the half of all that toft of land in the town of Whiteby, lying in * Kirkgate, between the land of John Attewelde *(John of the Well)* on the one ſide, and the land of John Pok on the other ſide; ſo that neither

* This is the earlieſt mention I any where find of Church-Street; and I make no doubt but the church-ſtairs were built nearly about this time, without which it could not properly have the denomination of a ſtreet: Twenty years before this we find no Kirkgate, *(ſee page 229)*, and I myſelf have ſeen an old record, about fifty years later than this, which mentions a houſe in Whitby *ad pedem le ſtair*, meaning the church-ſtair.

ther the ſaid Alexander, nor his heirs, nor any one for them, or in their name, ſhould for the future have any right or claim to the ſaid half toft of land. Now the ſaid Alexander, and his heirs, warranted and defended that half toft of land, with all its appurtenances as aforeſaid, to theſe religious men the Abbot and Convent of Whiteby, and their ſucceſſors, for the uſe of alms-giving, againſt all men, for ever. In teſtimony whereof his ſeal was hung to this preſent charter, in the year of grace 1318, in the preſence of Sir Alexander de Percy, Knight; John of Wykeham, Seneſcal to the Abbot and Convent of Whiteby; Robert Page; Richard Penok; William the Smith; William Payn; and others."

In that ſame year, "the Abbot and Convent of Whiteby granted and demiſed to John of the Well one half toft of land, with its appurtenances, and the buildings thereon, in Whitby, ſituate and lying in Kirkgate, between the land of the ſaid John on the one ſide, and the land of John Pok on the other ſide, it being that which was formerly Alexander Her's. The ſaid John, and his heirs, to have and to hold this half toft of land, with its appurtenances, from the feaſt of Pentecoſt, in the year of grace 1318, for the term of forty years thence next following, fully to be compleat and ended, on paying for the ſame annually to Thomas Wibern, and his heirs, four ſhillings and ſixpence, in equal portions at Whitſuntide and Martinmas; and moreover to the Precentor of Whiteby, for the time being, twelve pence at the ſame terms. Now the aforeſaid religious men, the Abbot and Convent of Whiteby, warranted and defended this half toft of land, with its appurtenances, againſt all men, to the ſaid John, and his heirs, till the full expiration of the aforeſaid term of forty years. In teſtimony whereof the ſaid Abbot and Convent ſet their chapter-ſeal to that part of this deed which remained with the ſaid John; and the other part was confirmed by the ſeal of the ſaid John, in the preſence of Peter of Lincoln; Robert Page; William de la Sale; Thomas of Lownſburgh, *(near Sneton)*; William the Smith; and others. Dated at Whiteby, on the eve of the apoſtles Philip and Jacob, in the year of grace above-written." 2

We have already ſhewn (ſee page 63) that Alan, ſon of the firſt William de Percy, gave all the poſſeſſions he had in Whitby-Strand to Whitby Abbey; and it appears, not only from the memorial, but alſo from the charters of the ſaid Alan, that Sneton was one of the places comprehended among theſe donations; nor is there any room to doubt but it was then really given away, ſince we never after find mention made of any Percy there before the year 1300; and in the numerous charters granted to Whitby Abbey during that period of time ſome of their names would ſurely have occurred, if ſeated at ſo little a diſtance from that place; but we conſtantly find John Arundel was the principal man at Sneton till the year 1145, and after that his deſcendants.

William, ſon of Alan de Percy, by his wife Alice of Tunbridge, had a daughter called Agnes, of whom we have already made ſome mention in page 141 of this hiſtory. This Agnes married Joſceline de Louvain, (brother of Adeliza, who was Queen to King Henry I.) by whom ſhe had a ſon called

called Henry, who, by the charter in page 164, I apprehend lived at Baterſby, near Kildale. He married Iſabella de Bruce, by whom he left iſſue, a ſon called William, who is frequently ſtiled Lord of Kildale, and who married Helena daughter to Lord Bardolph. To him deſcended almoſt all the vaſt poſſeſſions of the Percy family, which were inherited after his death by his ſons Henry, Walter, William, and Ingeram. Among theſe Walter ſeems to have been left in poſſeſſion of Kildale, and the ſeveral manors adjoining thereto; and this Walter was ſucceeded by his ſon William, who (as we are told in Rymer's Fœdera) attended King Edward I. in his Welſh expedition, anno 1282. He it was who, about the year 1300, purchaſed the Sneton eſtate, for his ſon Alexander, of the Abbot and Convent of Whitby. Our Monaſtery was then burdened with a very conſiderable debt, part of which was immediately to be diſcharged, and this laid the Monks under a neceſſity of raiſing money. Now the great obligations they lay under to the Percy family, who were originally their firſt benefactors, induced them to convey that eſtate over to Sir William de Percy, on terms which would hardly have been offered to any other family; on which Sir Alexander, his eldeſt ſon, came to ſettle at Sneton, and ſeems to have been a particular and intimate acquaintance of Thomas the Lord Abbot of Whitby. We own the charter for this purchaſe is not now to be met with among our records; but that cannot be conſidered as a proper argument for there having been no ſuch purchaſe, ſince a number of the original charters belonging to the Monaſtery are now wanting: Neither can we be poſitive as to the preciſe time of purchaſing this eſtate; yet thus purchaſed it moſt certainly was, or elſe whence proceeded their ſubordination to the Abbots of Whitby, viz. their aſſiſting to make up the Horngarth, their not being allowed to have a foreſter, their being ſubject to tolls, not only at Whitby, but alſo at Sneton; and, above all, their being debarred the ſame liberty on the Abbot's moors that the Abbot claimed on theirs, which are ſo many inconteſtible proofs of their dependence on the ſaid Abbot as ther capital Lord; and this they never would have ſubmitted to, if they had originally received that eſtate from the firſt William de Percy, and not from Whitby Abbey.

Sir Alexander and his tenants, after having been ſome conſiderable time in poſſeſſion of Sneton, began to look with an evil eye on the authority claimed by theſe neighbours of theirs; they ſuppoſed themſelves entitled to ſome particular privileges, and began to take liberties which the Abbot and Convent of Whitby did not think proper to indulge them in. This by degrees diſſolved their friendſhip, and produced continual quarrels, which ſeemed to portend fatal conſequences; but however at laſt all differences, diviſions, and animoſities were happily compromiſed in the year 1320; and I look upon the memorabilia between the Abbot of Whitby and Sir Alexander de Percy of Sneton, which were produced by this compromiſe, to be ſo particularly curious, that I have inſerted the whole at large, as follows:

134 "BE it remembered, That the bond of peace, and of mutual friendſhip, having been well nigh diſſolved, through the envious torches of Satan thrown

thrown by the Sowers of diſcord, the peace, love, and unity of our Lord were again reſtored between Thomas, the Abbot and Convent of Whiteby, of the one part, and Sir Alexander, ſon of Sir William de Percy of Kyldale, of the other part; both parties having ſettled on, agreed to, and acquieſced in, the following articles:"

"1. A diſpute having aroſe between the parties, about digging of turves, and pulling up bruer or ling, on a moor which extends, on its eaſtern ſide, along the rivulet of Sourgryff, from * Katewik to the ſource of the ſaid brook, ſouthward, and ſo over the adjoining hill, from the ſouthern extremity of this rivulet, to a certain croſs called John's Croſs, and thence to a certain fountain or well called Cock-Lake-Well, and from thence by the way which leads northerly to the fartheſt houſes in Uglardby: It is agreed, That the ſaid Abbot, for the maintenance of his own fires, and thoſe of his Monaſtery and Granges at Stakeſby and Whitbilathes, may get turves, and pull bruer, within the aforeſaid limits, whereſoever, whenſoever, and in what quantity ſoever he pleaſes, without lett or hindrance from the ſaid Alexander, or his heirs, for ever: And the aforeſaid Alexander, on the moors of Steynſiker and Hakyſgarth, may dig and root up, for his own particular uſe, but not for the uſe of his tenants, either in Sneton or in Katedyks, what turves and bruer he pleaſes, and as much as he wants, without any lett or hindrance from the Abbot, or thoſe under him; provided always, that they be uſed at his own manor-houſe in Sneton, and not elſewhere; and ſo this article was ſettled."

"2. The ſaid Abbot having incloſed about eight or nine acres of moor on the ſouthern part of Rethrig, the ſaid Alexander claimed this cloſe for his tenants in Katedykys, as being a great annoyance to them, and hindering them to drive away their cattle, threaten them off, or fetch them home to neceſſary paſturage. At length the Abbot conſidering that this claim was rooted in malice, for the ſake of peace agreed, That the Lord of theſe tenants ſhould have a way for egreſs and regreſs on the ſide of the ſaid cloſe, for which he was very importunate; and on that conſideration, the ſituation of the place being diſpenſed with, this article was ſettled."

"3. It being contained in a certain indenture made between the Abbot and the anceſtors of the ſaid Alexander, that theſe aforeſaid anceſtors, for themſelves and their heirs, agreed to pay unto the Abbot and Convent of Whiteby, half a mark yearly for all that land reaching from Schalmeryg to Katewik, in length; and from the old trench (called the Lake) of the arable land in Sneton to Rethryg, in breadth; and for the keeping up a pond or dam for the water corn-mill between Sethelhil and Rethrig *(now called Rig-Mill)*; they were ſo far miſled by malice, that they wholly threw down

* Katewick or Katedyke, called Sourby at the Conqueſt, but now always known by the name of Sneton-Thorp.

and took away the aforeſaid corn-mill, erecting a gold mill in its ſtead, *(molendinum aurarium loco ejus fabricantes.)* And thus was the ſaid farm for half a mark entirely loſt for eight years, or thereabouts. At length they humbly begged of the Abbot to allow them to build up again the aforeſaid mill in its antient place, and they would pay the uſual rent, as was reaſonable, for ever. In which they were humoured; and all arrearages being forgiven them, the mill was built, and the aforeſaid farm intirely reſtored, at the feaſt of St. Martin in winter, anno 1316."

"4. The tenants of the ſaid Alexander, when the Horngarth was to be made up, having frequently taken more than what was neceſſary out of the Abbot's foreſt, and then ſold the remainder, or what was left, in the town; for which they have ſeveral times been proſecuted and fined; it was thus ſettled: That the ſaid tenants ſhall have what they receive delivered to them by the Abbot's ſervants, and ſhall deſire neither more nor leſs than what is ſufficient, and if afterwards any defect be found in the ſaid Horngarth, on account of too little being delivered to them, ſuch defect ſhall not be imputed to them; but that defect, if a defect there be, ſhall be ours, and not theirs. Now when they inſtantly claimed three days for making up this Horngarth, no other anſwer was given them than, That they never would be ſatisfied; ſince when they had been properly warned, they had required the Eve of our Lord's aſcenſion for the day of making up that garth; and when it was done otherwiſe, the reaſon was, that day ſometimes fell on the feaſt-day of St. John of Beverlac, *(May 7th)* which being a holiday, the Horngarth could not then be made up."

"5. The ſaid Alexander claiming, by hereditary right, a certain liberty of buying and ſelling in the town of Whitby toll-free, and that not only for himſelf, but alſo for his tenants; at length this controverſy was thus ſettled: That the Abbot ſhall allow him to make a meaſure or buſhel of an exact ſize, which he ſhall bring to the Abbot's bailiff, who ſhall ſeal it with the Abbot's ſeal, after having proved and tried it; and this buſhel the ſaid Alexander ſhall deliver up to the keeping of the ſteward of the court; and if he happen to ſell any corn that is the produce of his land in the manor of Sneton, he ſhall neither pay toll nor cuſtom for the ſame; alſo if he buy any corn in the port of Whitby for the ſuſtenance of himſelf and ſaid manor, it ſhall be free; but if he ſell any there that hath been bought elſewhere, or ſell any elſewhere that hath been bought there, it ſhall not be exempt from the aforeſaid toll. Moreover, his tenants at Sneton, if they buy any corn at Whitby for their own ſuſtenance, by the ſaid buſhel meaſure, they ſhall pay no toll for the ſame; but if they be convicted of ſelling it elſewhere, or ſhall bring to ſell at Whitby any other corn than the produce of their own land in the manor of Sneton, in ſuch caſes they ſhall not be exempt, but muſt pay toll, like their other neighbours in the country adjacent. But as for what the ſaid Alexander required about the animals which his tenants ſold in the ſaid town of Sneton, to that the Abbot would not agree."

"6.

"6. Alſo the ſaid Alexander, for himſelf and his tenants, requeſted to have the privilege of cutting down and getting breckons, or fern, in Yburn and the parts adjacent, without any diſturbance or impediment, which liberty neither was forbidden or granted them, but was to depend upon their behaviour; if that was good, they would be ſuffered; if otherwiſe, they would not."

"7. The ſaid Alexander likewiſe deſired Fealty or Service from the Abbot, for certain lands in the town field of Sneton. To which it was anſwered, That we had received no lands from the liberality of his anceſtors but what were free and clear from every ſervice. On their not allowing this, we produced our * charters; but they ſcrupling ſome particulars, and finding fault with theſe records, as the inventions of our own brains, we gave them for anſwer, That every ſingle record was not ſo eaſily to be met with; and ſo this matter was poſtponed to another time."

"8. Our foreſters having always forbid the meſſonary, or keeper of the woods, of the ſaid Alexander, to carry a bow and arrows, often-times taking them from him, and ſometimes proſecuting him for ſo doing, inſiſting that he was no foreſter, but a wodwarde: They at laſt agreed to this, and ſo the controverſy ceaſed."

Among all the particulars contained in the aforegoing articles, nothing to me appears ſo extraordinary as the building a gold mill in that deſart place where Rigg-mill now ſtands, the uſe and deſign of which it is difficult for us to determine. Whether ſome doting Monk, pretending to more knowledge than the reſt of mankind, deluded Sir Alexander with a notion that he had found out the philoſopher's ſtone, and underſtood the art of extracting gold from ſome particular metal, or † mineral: Or whether this mill was intended for the making of leaf-gold, an invention that had been diſcovered only about forty years before, I leave the curious to judge: But whatever was their intention, the ſcheme, it ſeems, miſcarried, and a great deal of money was waſted, little to the profit or advantage of Sir Alexander.

This is the laſt account we have to give of the Percy family, who are never afterwards mentioned in our records. How long they continued at Sneton after this, we know not; neither can we ſay into what other hands that manor went after they quitted poſſeſſion; only I think we may venture to affirm, from the extract in page 131 of this hiſtory, that no Percy was remaining at Sneton when the Monaſtery was diſſolved; ſince the Horngarth ſervice was then performed by freeholders who were no homagers of the

* Probably the Abbot's book was ſhewed to Sir Alexander, in which copies of all their charters were contained.

† There is a particular kind of gray ſtone found in ſome parts of our moor, which, being fluxed, a kind of yellow metal, very much reſembling gold, is extracted therefrom; and poſſibly ſome curious Monk, who was not altogether unacquainted with Alchymy, after making this diſcovery, might think he could tranſmute this metal into real gold.

Percy family, and whoſe poſterity yet remain in the neighbourhood of Whitby, but now none of them owners of land at Sneton. Great and numerous as the Percy family was about Whitby, in the reigns immediately after the conqueſt, no traces of them now remain among us; and, after the moſt diligent inquiry, I cannot find that there is one family, nor ſo much as a ſingle perſon, of that name, now living either in Whitby or any where in Whitby Strand: Such is the ſtrange viciſſitude that attends all human affairs!

During the reign of the Abbot Thomas, King Edward II. was pleaſed to grant his royal charter to Whitby Abbey, as follows:

"EDWARD, by the grace of God, King of England, Lord of Ireland, and Duke of Aquitain, to his Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, Juſtices, Sheriffs, Rulers, Servants, and all his Bailiffs and faithful Subjects, greeting." &c. The remaining part of this charter is only a confirmation of the liberties, privileges, and donations, granted by the former Kings of England his predeceſſors.

The Abbot Thomas, being now grown old and infirm, wiſhed for an opportunity to ſpend the remainder of his days in meditation and prayer. He found his latter end faſt approaching, and therefore, with the deſign of better preparing himſelf for another world, he reſigned his office, and again became a private Monk in Whitby Abbey, anno 1322; on which the chapter there elected Thomas of Haukeſgarth, a Monk belonging to their own Monaſtery, for his ſucceſſor, on the twenty firſt of September, that ſame year; of whom we have nothing particular to relate before the year 1326, when he obtained the following charter, for Croſſeby-Ravenſwarth, from John, then Biſhop of Carliſle.

94 "TO all ſons of holy mother Church who ſhall ſee theſe preſent letters, John, by divine permiſſion, and by the conſecration of the apoſtolic See, Biſhop of Karlion, wiſhes eternal health in the Lord. Having lately viſited the churches in our dioceſe of Karlion, among other contingent duties in this viſitation, finding that theſe religious men, the Abbot and Convent of Whiteby, in the dioceſe of York, did actually detain, for their own proper uſes, the pariſh church of Croſſeby-Ravenſwarth, with its appurtenances, in our dioceſe, and claimed a ſpecial right for ſo detaining it; we cited before us the ſaid religious men, and their proctor ſufficiently authoriſed, in places, and on days, appointed for that purpoſe; when it was alledged on their part, That they obtained and poſſeſſed the ſaid church as antiently appropriated to them in a canonical manner, and that they ſtill held and poſſeſſed it by the ſame right: On which they produced, and ſhewed before us, the charters and inſtruments of their patrons, and of our predeceſſors, the Biſhops of Karlion, as alſo the confirmation of the chapter of our cathedral church in Karlion aforeſaid, for that church; which we having inſpected, and being ſatisfied therewith, becauſe we find them

them ſufficiently fortified to aſſert their right, as canonical poſſeſſors of the ſaid church, do abſolve them from all proſecutions in our office on that account, and by this our decree diſmiſs them as abſolved. In teſtimony whereof our ſeal is hung to theſe preſents. Dated at our manor-houſe the Roſe, on the ſecond of the Kalends of July, in the year of our Lord 1326, and of our conſecration the ſecond."

The Abbot and Convent of Whitby had now for almoſt two centuries been in poſſeſſion of the church of Kyrkeby in Clyveland, and out of the revenues thereof had always exacted from the incumbent an yearly penſion of a mark. Mr. Robert de Heſlerton was poſſeſſed of that living in the year 1328, and had failed in paying his penſion for five years ſucceſſively; on which account he was proſecuted by the ſaid Abbot and Convent in the eccleſiaſtical court of York, Mr. William de Hundmanby being their Proctor. Heſlerton never appeared to make any defence; and the court, after examining proper witneſſes, finding the ſeveral allegations urged againſt him to be true, "pronounced ſentence definitively, That the ſaid yearly penſion was the rightful property of the aforeſaid Abbot and Convent, to whom therefore they reſtored and confirmed the poſſeſſion thereof, wholly and entirely, by a written inſtrument, or deed, in which the party accuſed was alſo condemned to pay all the expences that had been occaſioned by this proſecution, after being properly taxed and ſworn to, and this right of taxation the court reſerved to itſelf. In witneſs whereof the ſeal of their office was ſet to theſe preſents, made and dated at York on the 13th of the Kalends of June, in the year of grace 1328." 81

In the year 1329, we find a record in very old French, which, to oblige ſuch as are curious in that language, I ſhall here tranſcribe from the original.

"ACORDE eſt par ceſte endenture, eſcriet a Everwyk le unzime jour de Maij lan du regne le Roy Edward tierce du conqueſt tierce, entre religious hommes Labbe et Covent de Whiteby, dune parte, et Richard Baſy, dautre, qe com le dit Richard ſey conuſt a tenire ſes boves de terre, od les apurtenaunces, en Thorp-Malteby, ſus ditz Abbe et Covent, par feance e la rente de vint ſoutz annuelment, les queles ſount de lur fee e lur ſeygarnye, come drot wanter fiz et heir Johan de Buſtardthorp, qe dil cit Abbe deit tenire par les ſerviſes de ſuſ nomz; de la quele rente aſcuns arerages eſteint duwes par debat eſteaunte entre le ditz parties, dunt le dit Abbe de ſa bone voilaunce et amiablement ad releſſe au dit Richard teuz les arerages de la dite rente a luy dewes tanqe au terme de la Pentecoſt procheine ſuaunt. E le dit Richard graunt et conuſt ſey eſtre entendaunt au dit Abbe et ſes miniſtres de la rente de vint ſoutz par an, com ſon tenaunt des terres en Thorp-Malteby deſus nomez. En teſmoygn des queus choſes as ceſtes endentures les parties unt ſeaus mys chauniablement. Eſcrit a Everwyk le jour et le an ſus ditz." 75

Which

Which may be thus rendered into Engliſh:

IT is agreed, by this indenture, wrote at York on the 11th day of May, in the third year of the reign of King Edward III. from the Conqueſt, between theſe religious men the Abbot and Convent of Whiteby, of the one part, and Richard Baſy, of the other: That whereas the ſaid Richard acknowledges himſelf to hold ſix oxgangs of land, with their appurtenances, in Thorp-Malteby, under the ſaid Abbot and Convent, by fealty, for the yearly rent of twenty ſhillings; which *(ſaid oxgangs)* are their freehold and warrantry, and which the legitimate ſon and heir to John of Buſtard-Thorp ought to hold of the ſaid Abbot for the ſervice above-mentioned: And ſome arrears of this rent being due, on account of a controverſy ſubſiſting between the ſaid parties, the ſaid Abbot, out of benevolence, hath, in a friendly manner, releaſed to the ſaid Richard all arrears of the ſaid rent due to him till the term of Whitſuntide next enſuing. And the ſaid Richard grants and acknowledges himſelf to be anſwerable to the ſaid Abbot and his ſervants for this rent of twenty ſhillings a year, as his tenant for the lands in Thorpe-Malteby above-mentioned. In witneſs of which things the parties to theſe indentures have interchangeably put their ſeals. Written at York on the day and year above-mentioned.

There is alſo among our records, fourteen years after this, another indenture wrote in old French, as follows:

74 "CESTE endenture faite entre Labbe et le Covent de Whiteby, dune parte, et Robert le fiz Johan Buſtard de Buſtard-Thorp, dautre parte, teſmoigne, qe come les aunceſtres meſmes ceſt Robert tindrent ſis bovetz de terre, ou les apurtenances, en Thorp-Malteby, de les avant ditz Abbe et Covent; et de meſmes ſis bovetz de terre firent une rente ſervice de vint ſoutz as avauntditz Abbe et Covent de an en an, a les feſtes de Seint Martin en Yver et Pentecoſt, par oweles portions. De que le rente ſervice de vint ſoutz les avauntditz Abbe et Covent, et leur predeceſſours, furent ſeiſis, du temps dunt memoire ne court, de les aunceſtres meſmes ceſti Robert, taunt qe Richard Baſy priſt Maude mere meſmes ceſti Robert a femme; le quel Richard lavaunt dite rente ſervice de vint ſoutz aſcune foiz reniſa rendre. Lavaunt dit Robert voet et graunt, pur lui et ſes heires, rendre a les avaunt ditz Abbe et Covent, et a leur ſucceſſours, la portion de la dite rente ſervice de vint ſoutz pur la quantite de les ſis bovez de terre en ſa main eſteaunt, a terme de la vie lavaundite Maude ſa more et femme le dit Richard. Et lavaunt dit Robert voet et reconoiſt, pur lui, ſes heirs, et ſes aſſignez, rendre touz les ans avenirs ap apres le deors la dite Maude ſa mere, a les avaunt ditz Abbe et Covent, et a leur ſucceſſours, lavaunt dite rente ſervice de vint ſoutz, ad termes ſuſnomez, et touz jours. En teſmoignance de quele choſe, auxi bien le dit Abbe, come lavauntdit Robert le fiz Johan Buſtard, a ceſte endenture entrechaungeablement ount mis leur ſeals. Donne a Ewerwyk, le tierz jour de Feverer, Lan de notre ſeignur mill treis centz quaraunt tierz."

What

What I look upon as a much greater curioſity than the above, is an Engliſh tranſlation thereof yet remaining among our records, which is the only thing in Engliſh we meet with in the Abbot's book. The reader will conſider the time when it was wrote, and make proper allowance, not only for the language, but alſo for the ſpelling, the whole indenture being here copied *verbatim et literatim*.

" THIS endentur, mayd betwix the Abbote and the Covent of White- 74
by, of the oon partye, and Robt the ſon of Johan Buſtard of Buſtard-Thorp, of the other partye, wytneſs, that whar the aunceſtres of this ſame Robt held vi oxgange of land, with the apurtinance, in Thorp-Malteby, of the aforſayd Abbote and Covent; and of thies ſame vi oxgange of land made and rent-ſervice of twenti ſhillyns to the aforſayd Abbote and Covent fro zere to zere, at the feſts of Saynt Martyn in Wynter and Wytſonday, be evyn porcions; of whilk rent-cervice of twenty ſhillyngs the aforſayd Abbote and Covent, and thar predeceſſours, war ſeyſid of tyme of whilk no mynd es of the aunceſtres of the ſame Robt, unto that tyme Richard Baſy toke Mawde moder of this ſame Robt to wyfe; whilk Richard the aforſayd rente-ſervice of twenti ſhillyngs ſome tyem refuſed to pay. The forſayd Robt wyll and grauntys, for hym and hys heirs, to pay to the aforſayd Abbote and Covent, and to thar ſucceſſours, the porcion of the ſayd rente-ſervice of twenty ſhillyngs for the quantite of the vi oxgange of land in hys hande beynge, for terme of the lyfe of the aforſayd Mawde his moder, and wyfe to the ſayd Richard. And the aforſayd Robt wyll and knawlegs, for hym, his heirs, and his aſſignes, to pay all the zers for to come after the deceſe of the ſayd Mawde hys moder to the aforſayd Abbote and Covent, and to thar ſucceſſours, the aforſayd rente-ſervice of twenti ſhillyngs at the termys above namyd for ever more. In wytneſs of whilk thynge alſo we, the ſayd Abbote, as the aforſayd Robt the ſon Johan Buſtard, to this endenture ether to other have putt ther ſeyls. Gyfven at Zork, the third day of Feverzere, the zer of our Lord mill ccc xliij."

At the ſame time there was alſo another " indenture made between theſe 73
religious men, the Abbot and Convent of the Monaſtery of Whiteby, of the one part, and Richard Baſy, huſband of Maude, formerly wife of John, ſon of Robert Buſtard, of the other part, witneſſing, That whereas the ſaid Robert Buſtard held of the aforeſaid Abbot and Convent of Whiteby ſix oxgangs of land, with their appurtenances, in Thorp-Malteby, on rendering for the ſame a certain rent-ſervice of twenty ſhillings yearly, at the feaſts of Pentecoſt and St. Martin in winter, in equal portions; which rent-ſervice of twenty ſhillings the ſaid Robert, and his anceſtors, had paid to the aforeſaid religious men, the Abbot and Convent of Whiteby, and their predeceſſors. Now the aforeſaid Richard granted and acknowledged that he would pay to the ſaid religious men his proportional ſhare of this ſaid rent-ſervice of twenty ſhillings for the quantity of the ſaid ſix oxgangs of land,

land, with their appurtenances, that he had in his hand on account of the ſaid Maude his wife, during the term of her life. In teſtimony whereof the ſaid Abbot ſet his ſeal to that part of this indenture left with the ſaid Richard, and the other part was confirmed by the ſeal of the ſaid Richard. Dated at York, on the 3d day of February, in the year of our Lord 1343." *(See page 124.)*

The Buſtard family had for near two centuries been in poſſeſſion of this land at Thorp-Malteby, which belonged to Whitby Abbey; and John Buſtard at his death leaving a ſon called Robert, then a minor, his widow Maude married again to Richard Baſy, who was for making a free eſtate of theſe ſix oxgangs of land, till Robert the heir came of age; but a proſecution being commenced againſt him by the Abbot and Convent of Whiteby, he was glad to become their tenant, which he continued ſtill to be for his third during the life of Maude his wife, after the aforeſaid Robert came of age, and got poſſeſſion of the other two thirds. The three laſt indentures have all been made with an intention of ſecuring their property in theſe ſix oxgangs of land to the Abbot and Convent of Whitby.

76 In the year 1348, we have an "indenture, witneſſing, That the Abbot and Convent of Melſa *(or Meaux)* held and poſſeſſed of the Abbot and Convent of Whiteby a meſſuage, with its appurtenances, ſituate in the ſuburbs of the city of York, in a ſtreet called Fychergate, near the church of All Saints, for the ſervice of five ſhillings in ſilver, to be paid yearly to the ſaid Abbot and Convent of Whiteby, and their ſucceſſors, on the feaſts of St. Martin in winter and Pentecoſt, in equal portions: And this was all the ſervice to be performed for the ſame, as is more fully expreſſed in a written deed made to the ſaid Abbot and Convent of Whiteby for that purpoſe. Now, a law-ſuit having been begun between the parties, for arrears of the aforeſaid yearly rent of five ſhillings, at length the Abbot and Convent of Whiteby gave a total releaſe to the Abbot and Convent of Melſa for all arrears due before the writing of theſe preſents; on which the Abbot and Convent of Melſa, for themſelves and their ſucceſſors, willed and agreed, That if at any term afterwards the ſaid yearly rent of five ſhillings in ſilver was behind hand, or only paid in part, then it ſhould and might be lawful for the Abbot and Convent of Whiteby, and their ſucceſſors, to diſtrain for the ſame, any where at pleaſure, not only in the ſaid meſſuage, but alſo in any part of their manor of Octon; and to keep the things ſo diſtrained, till full ſatisfaction was made to the ſaid Abbot and Convent of Whiteby for the ſaid revenue of five ſhillings, and alſo for all arrears due after the writing of theſe preſents. In teſtimony whereof, the Abbot and Convent of Melſa ſet their common ſeal to that part of this indenture remaining with the Abbot and Convent of Whiteby, and the other part was confirmed to the Abbot and Convent of Melſa by the common ſeal of the Abbot and Convent of Whiteby. Dated at Melſa, on Thurſday, being the feaſt of St. Leonard the Abbot, in the year of our Lord 1348."

84 In the year 1352, the Abbot Thomas, on account of his great age, thought proper to reſign his office, and once more became a private Monk

in

in the Monaſtery of Whitby. The place lay vacant for ſome years, no other Abbot being elected in his room; and "in the year 1353, in the month of July, Thomas Heliwell, Archdeacon of Cliveland, in the dioceſe of York, in the courſe of his viſitation which he was then making for the Archdeaconate of Cliveland, as by his office required, found the pariſh church of St. Mary at Whiteby to be canonically united and annexed to the Monaſtery and Abbey of Whiteby, together with its chapels of Aſelby, Ugylbardby, Dunſley, and Haukeſgarth, dependent on the ſaid church; but believing the chapel of Fylynge to be a pariſh church, and dependent on no other church, on the 14th day of the ſaid month, as in duty bound, he viſited the ſame, and made a charge for ſuch viſitation; and having received ſeven ſhillings and ſix pence as his fee for viſiting the church of St. Mary's at Whiteby, with the chapels dependent thereon, he demanded and endeavoured to receive ſeven ſhillings and ſix pence more for viſiting the ſaid chapel of Fylynge, which the Convent of Whiteby not being willing to pay, he deſired them to propoſe and ſhew reaſonable cauſe, if they had any, why they ought not to be compelled in form of law to make payment of the ſame; on which theſe religious men appearing in the court of York by John of Stainton, Clerk, their Proctor learned in the law, who proved himſelf ſufficiently authoriſed to act on their behalf in this controverſy, and who proteſting againſt what was demanded, according as the nature and quality of his buſineſs required, denied upon oath the claim that was made, and the truth of what had been propoſed, alledging and inſiſting that the chapel of Fylynge was, and had ever from the time of its firſt erection been, notoriouſly dependent on the church of St. Mary aforeſaid, as its parochial and mother church, and was notoriouſly ſituate within the bounds and limits of that church, nor had ever had any endowment or revenue ſeparate from the ſaid mother church, nor any perpetual Parſon or Miniſter at any time to govern it, having never before been conſidered as a diſtinct pariſh at any Archdeacon's viſitation. As for the ſeven ſhillings and ſix pence, it was the Archdeacon's fee for viſiting the ſaid church of St. Mary, with the chapel of Fylynge, and all and ſingular the other chapels dependent on that church, and ought, and had ever been paid, for the whole, time immemorial; nor had any thing further ever been demanded at any former Archdeacon's viſitation. Wherefore this Proctor, in the name of his employers, requeſted that, after having proved the premiſes in ſuch form as the law required, the ſaid religious men his maſters, or he in their name, might only for the future be obliged to pay one fee for the Archdeacon of Cliveland's viſiting their ſaid church of St. Mary, with the chapel of Fylynge, and other the chapels dependent thereon; and, on paying the ſaid fee of ſeven ſhillings and ſix pence, might be declared free and clear from all further exactions and demands. Now theſe propoſitions, thus laid before the court, being proved by witneſſes properly ſworn and examined, as alſo by ſeveral authentic records and deeds there produced; and diligent inquiry being made after every thing, as the order of law required; becauſe it appeared that the propoſitions and deductions of the ſaid religious men

were well and ſufficiently founded, and that only one fee of ſeven ſhillings and ſixpence was due for the Archdeacon's viſiting the ſaid church of St. Mary at Whiteby, with the chapels of Fylynge, Aſſelby, Ugylbardby, Dunſley, and Haukyſgarth, dependent thereon, the ſaid religious men are, by this ſentence contained in theſe preſents, definitively pronounced and declared to be ſubject to no further nor greater fee than ſeven ſhillings and ſix pence, as is above ſpecified, for the ſaid church and chapels. In teſtimony of all which things, the court of York hereunto ſet the ſeal of their office. Dated at Eſynwald, on the 8th day of the month of October, in the year of our Lord 1353."

On March 22, 1355, William of Burton, a Monk in the Monaſtery of Whitby, was by the Chapter there elected Abbot; and ſoon after his election he gained a royal charter from King Edward III. which being nearly in the ſame words with that of King Edward II. we have omitted inſerting it here.

82 In the year 1363, "John, by divine permiſſion, Archbiſhop of York, Primate of England, and Legate of the apoſtolic See, in the courſe of his office being informed by the Archdeacons of Cliveland and the Eſt Rydynge, in his dioceſe, who were his ſpecial Commiſſaries particularly deputed to viſit the ſeveral churches there, that thoſe religious men, the Abbot and Convent of Whiteby, in the ſaid dioceſe, contrary to what the law allowed, pretended to have for their own proper uſes the pariſh churches of Semar, of Hakneſſe, of Whiteby, of Aton in Cleveland, of Ingelby, and of Midilſburgh, with the chapels dependent on the ſame; as alſo ſome part of the corn-tithes in Nafreton and Foxhols, and likewiſe the under-mentioned penſions, viz. from the church of Hoton-Buſſell, forty ſhillings; from the church of Sutton on Derwent, ſix ſhillings and eight pence; from the church of Slenyſby, thirteen ſhillings and four pence; from the church of Huntyngton, thirteen ſhillings and four pence; from the church of Kirkeby in Cliveland, ſixty ſix ſhillings and eight pence; and from the church of Skyrpenbeck, thirteen ſhillings and four pence; alledging that they were not only intitled to, but had alſo received, the fruits, revenues, and produce ariſing from the ſaid churches and chapels, with the portions and penſions aforeſaid, and converted the ſame to their own proper uſes, for a courſe of many years. Now we *(ſays the Archbiſhop)*, with regard to the premiſes, being reſolved to proceed againſt the ſaid religious men, by our aforeſaid Commiſſaries, iſſued orders for fixing a day on which they were to ſhew what right they had for obtaining and retaining the aforeſaid churches, chapels, portions, and penſions, and for receiving the fruits, revenues, and produce of the ſame: And they having accordingly been cited to appear before our ſaid Commiſſaries ſeated in judgment for that purpoſe, the aforeſaid religious men, attended with a Proctor ſufficiently authoriſed to act on their behalf, came on the day and place prefixed, and produced ſeveral letters, not only apoſtolical, but alſo from our predeceſſors, and the Chapter of our church at York, and likewiſe very many records; which letters and records having been inſpected and

and carefully examined by our ſaid Commiſſaries, and ſeveral other men learned in the law, there preſent, we are informed, by a certificate from our ſaid Commiſſaries, that they are convinced the ſaid religious men are ſufficiently authoriſed for obtaining and retaining the ſaid churches, chapels, portions, and penſions, with the fruits, revenues, and produce thereof: Wherefore, by theſe preſents, we diſmiſs them from any further proſecution in our office, on account of the premiſes. In teſtimony whereof we have cauſed our ſeal to be ſet hereunto. Dated at Thorp, near York, on the 22d day of the month of Auguſt, in the year of our Lord 1363, and of our tranſlation the 11th."

In the year 1364, "Arnald, by divine permiſſion, Archbiſhop of Anxium (*Anxitan*) and Chamberlain to our Lord the Pope, acquainted all who ſhould inſpect theſe preſent letters, that the pariſh church of Hoton-Buſcell, in the deanery of Cliveland, and dioceſe of York, was divided; and that the part of Richard de Huley, in the ſaid church, over and above his penſion, was taxed for tithes at eighteen marks; alſo the part of Richard de Taunton, in the ſame church, over and above his penſion, was taxed for tithes at twenty marks; and the penſion of the Abbot of Whiteby, from both Rectors of the aforeſaid church of Hoton, in equal portions, at forty ſhillings; as was contained and found written in a certain regiſter of the apoſtolic chamberlain for taxing benefices in the kingdom of England. In teſtimony whereof he cauſed his chamberlain's ſeal to be ſet to theſe preſents, extracted and taken from the ſaid regiſter at his command, on the 16th day of the month of October, in the year of our Lord 1364, being the 2d indiction, and the 2d year of the pontificate of our moſt holy father and Lord, Lord Urban V. by divine Providence, Pope." 81

In the year 1366, "William, the elder ſon of Thomas Chancy of Scirpenbek, for himſelf and his heirs, remiſed, relaxed, and quit-claimed, for ever, to the Abbot and Convent of the Monaſtery of Whiteby, all manner of ſuits and actions, real or perſonal, which he had, or any ways might have, againſt them, on account of the demiſe of their Abbey-manor of Scirpenbek to him, or on any other account whatſoever, from the beginning of the world to the day of making theſe preſents; ſo that neither he the ſaid William, nor his heirs, ſhould be able for the future to commence any action, real or perſonal, againſt the ſaid Abbot and Convent, and their ſucceſſors, for what had already paſſed between them, but were totally excluded from any ſuch action by the ſaid William putting his ſeal to theſe preſents. Dated at Scirpenbek, on the 6th day of May, in the 40th year of the reign of Edward III, from the Conqueſt." 124

We know no other particulars about this Abbot, nor the Monaſtery of Whitby, during the time of his reign; therefore all that we ſhall here add is, that he died in the year 1374, and was ſucceeded as Abbot by John of Richmond, a Monk then reſident in our Monaſtery, who, on the 13th day of June that year, was by the Chapter of Whitby unanimouſly elected in his ſtead.

In the year 1377, a ſubſidy extraordinary being demanded of the clergy over all England for the defence of the kingdom, viz. two tenths of the re- 90

venues of every eccleſiaſtical benefice; the perpetual Vicars of the church of Semar, when appointed to that living, had always been bound to defray one fourth part of every ſuch ſubſidy; and that church being then taxed at forty marks, the ſubſidy to be raiſed there amounted to eight marks, of which the ſhare to be paid by Mr. Robert de Segbroke, the then Vicar, came to two marks, due at two certain prefixed terms, now more than a year ſince elapſed: But the ſaid Vicar had abſolutely refuſed to pay any part of the ſaid ſubſidy, notwithſtanding the obligation he was under; wherefore the Abbot and Convent of Whitby proſecuted him for the ſame in the court of York, by Mr. John de Staynton, Clerk, their Proctor lawfully appointed, againſt whom Segbroke appeared in court, by Mr. Henry de Axhiholm, Clerk, his Proctor; and a little book being by the Whitby Proctor delivered in upon oath to the Official at York, containing the allegations urged againſt Segbroke, he was deſired to reply thereto, upon oath alſo, on a day prefixed for that purpoſe. Afterwards the merits of the cauſe being fully examined and diſcuſſed in court, a definitive ſentence was pronounced againſt Segbroke, "that he was liable to pay one fourth part of all extraordinary ſubſidies which his church of Semar was taxed at, and therefore reſtitution was to be made by him to the Abbot and Convent of Whitby for theſe two marks which they had paid the King on his account: However, for ſome particular reaſons, the court did not ſubject him to all the expences that attended this proſecution. In teſtimony of which things the Official's ſeal at York was ſet to theſe preſents, dated at York, on the 10th day of March, in the year 1378."

The inhabitants of Ugglebardby and Yburn had always looked with an evil eye on the agreement that the Everley family made with the Abbot and Convent of Whitby in the year 1311 *(ſee page* 236.*)* They conſidered themſelves as robbed of a valuable liberty which they ſtill had a title to, or at leaſt wiſhed to enjoy, and found themſelves deprived of ſo many advantages, that they long in their hearts curſed the growing power and tyranny of theſe their oppreſſors. At length, about the year 1381, full of indignation, rage, and malice, they banded together, and broke into theſe cloſes, woods, and moors, whence they had been for many years reſtrained, in hopes to gain that by violence which they could not otherwiſe obtain: But herein they were deceived; for the Abbot of Whitby immediately commenced a proſecution againſt them, by which he recovered much more damages than a jury in theſe our days would have thought proper to allow him; though perhaps that might be done *in terrorem*, to hinder others for the future from being guilty of the like offence. But it is time for us now to ſee the account our Abbey records give of this affair, which is as follows:

6 "A record in the court of King's Bench, at Eaſter term, in the 5th year of "the reign of King Richard II. after the Conqueſt.

"Roll ccc. b.

"WIlliam Brok and Roger Brok, of Yborne; Roger Chapman and John Chapman, of Yborne; Adam Apluer and John Peche, herdſmen of the ſteve *(or conſtablery)* of Ugylbardby; John of the Green, of the ſteve of Ugylbardby;

Ugylbardby; John Halman, of Ugylbardby; William Alkys, of Ugylbardby, Ralph Jopſon, of Ugylbardby; and John Jopſon, of Ugylbardby, were attached *(or ſerved with writs)* to anſwer the Abbot of Whytby in a plea of treſpaſs, for forcibly breaking into the incloſures of the ſaid Abbot in Eſkedall and Yborn, whence they took away his trees and other underwood lately growing there; and alſo digged in his ſeveral turbaries, taking and carrying away the turves there laid, with the ſaid underwood, and other his goods and chattels there found, to the value of twenty pounds: And alſo with their cattle fed upon, trod down, and conſumed his corn and graſs, and the ſhoots of his young ſpring wood, lately growing there, to the value of ten pounds more: And other enormities did, to the great prejudice and damage of the ſaid Abbot, and contrary to the peace of our ſovereign Lord the King, &c.

"The jury ſay upon their oath, That the aforeſaid William Brok, Ralph Jopſon, and John Jopſon, are guilty of all the treſpaſſes with which they are charged, except carrying away the Abbot's goods and chattels, to the damage of nine pounds of him the ſaid Abbot: And as for William Brok, Ralph and John Jopſon, and their carrying away the ſaid Abbot's goods and chattels, the jury ſay they are not guilty. And the ſaid jurymen further ſay upon their oath, That the aforeſaid Roger Brok, Roger Chapman, John Chapman, Adam and John Peche, herdſmen, John of the Green, John Halman, and William Alkys, are guilty with regard to feeding on the corn and ſhoots of the young ſpring wood of him the ſaid Abbot. Now they pleaded againſt the firſt charge; but as to the feeding on the Abbot's corn and graſs, and the ſhoots of his young ſpring wood, within the cloſes and incloſures of him the ſaid Abbot, they were convicted of the ſame in judgment, as appears above, and the jury aſſeſſed the damages done by them to the Abbot at twenty three pounds, before the time of their obtaining the under-mentioned written releaſe. And laſtly, the ſame jurymen ſay upon their oath, That the aforeſaid Roger Brok, Roger Chapman, John Chapman, Adam and John Peche, herdſmen, John of the Green, John Halman, and William Alkys, as to the carrying away the ſaid Abbot's goods and chattels, are not guilty.

"Therefore it is allowed the ſaid Abbot to recover of the ſaid William Brok, Ralph Jopſon, and William Jopſon, his aforeſaid damage of nine pounds, charged on them in an action for treſpaſſes of which they are convicted: And likewiſe on the aforeſaid Roger Brok, Roger Chapman, and John Chapman, Adam and John Peche, herdſmen, John of the Green, John Halman, and William Alkys, his aforeſaid damage of twenty three pounds, as charged upon them in an action for treſpaſſes, of which they are alſo convicted. And the ſaid William Brok, and all the other perſons before named, are to be apprehended, &c.

"Afterwards, on the Octaves of the purification of the Virgin Mary, in the 8th year of the aforeſaid King's reign, the ſaid Abbot, by his Attorney, declared himſelf ſatisfied for all damages; and gave the ſaid William Brok, and all the others, a full releaſe from their confinement, from which, being then by him acquitted, they might depart any time *ſine die*. And foraſmuch as this treſpaſs was committed long before the ſtatute providing againſt ſuch treſpaſſes was made by the parliament of our Lord the King, therefore the

ſaid

ſaid William Brok, and all the other perſons before named, may depart quietly, without paying any fine for ſuch treſpaſs to our Lord the King, &c. as is contained in a certain roll in the Treaſury, wherein are ſet down the evidences from Ugylbardby."

99 In the year 1382, Thomas, Biſhop of Carliſle, confirmed to the Abbot and Convent of Whitby their church of Croſſeby-Ravenſwarth in Weſtmoreland, by a particular inſtrument to which he hung his ſeal: But this being nearly in the ſame words with that already inſerted in page 244 of this hiſtory, we ſhall omit it here, and only obſerve that it is "dated at his manor houſe, the Roſe, on the firſt day of February, 1382, being the 20th from his conſecration."

91 In the year 1383, a cauſe was depending in the eccleſiaſtical court of York, between thoſe religious men the Abbot and Convent of the Monaſtery of Whiteby, of the order of St. Benedict, in the dioceſe of York, proprietors of the church of Semar, of the one part, and Mr. Robert de Segbroke, perpetual Vicar of the ſaid church, of the other part; for that he the ſaid Vicar, though bound at his ordination, as all other Vicars of that church before him had been, entirely to defray all ordinary ſubſidies, dues, and impoſts, demanded by the Archbiſhop, had nevertheleſs refuſed to pay an ordinary ſubſidy demanded the year before by the reverend Father in Chriſt Lord Alexander Archbiſhop of York, from the ſaid church of Semar, and the clergy belonging to the other churches in his dioceſe; which ſubſidy, amounting to four marks of ſilver, the ſaid Abbot and Convent had found themſelves under a neceſſity of advancing and paying for the ſaid Vicar, to their no ſmall prejudice and wrong. Now, in order to reimburſe themſelves of this ſum, the ſaid Abbot and Convent were obliged to bring an action in the eccleſiaſtical court of York, in which they employed John of Staynton the elder, Clerk, as their Proctor, to proſecute the ſaid Segbroke: And on the contrary, Segbroke retained firſt William of Killerwike, and afterwards John of Staynton the younger, Clerks, as his Proctors, to defend himſelf againſt their proſecution. When the allegations and little books had been delivered in on both ſides, the merits of the cauſe were diligently enquired into, and fully diſcuſſed, and alſo ſeveral authentic records were produced in court; after which a definitive ſentence was pronounced, in which it was declared, That the ſaid Robert de Segbroke was anſwerable for, and obliged to pay, every ordinary ſubſidy for his ſaid vicarage church of Semar, and therefore ſatisfaction was to be made by him to his maſters for the four marks of ſilver they had advanced on his account; but as for coſts, the payment of them was, for ſome particular reaſons, omitted. In teſtimony of which things the Official of York's ſeal was ſet to theſe preſents, dated at York, on the 6th day of the month of September, in the year above-mentioned.

In the year 1385, the church of Skirpenbek becoming vacant, we have the following record relating thereto:

124 "IN the name of God, amen. By this preſent public inſtrument be it known to all men, that in the year from the incarnation of our Lord, according

according to the courſe and computation of the church of England, 1385, being the 9th indiction, and 8th year of the pontificate of our moſt holy Father in Chriſt and Lord, Lord Urban VI. by divine Providence, Pope, on the 29th day of the month of December, in the collegiate church of St. John of Beverlac, in the dioceſe of York, perſonally preſented himſelf, in the preſence of me a Notary-Public, and the under-written witneſſes, that diſcreet man Mr. William de Fereby, Rector of the church of Scirpenbek, in the dioceſe of York, and an advocate in the court of York; who openly, publicly, and (as he ſaid) ſpontaneouſly, owned and acknowledged his ſaid church of Scirpenbek to have been, and now to be, a yearly penſioner to theſe religious men, the Abbot and Convent of the Monaſtery of Whiteby, of the order of St. Benedict, in the dioceſe of York, Patrons of the ſaid church, for thirteen ſhillings and four pence ſterling, making one mark in England, according to the cuſtom there uſed; and expreſsly obliged himſelf faithfully to pay this penſion yearly to the ſaid religious men ſo long as he was Rector of the ſaid church: And in token of this penſion being due to the aforeſaid religious men, he then and there gave and delivered one groat of ſilver, making four pence ſterling, to brother Peter of Hertilpole, a Monk of the ſaid Monaſtery, there preſent, for, and in the name of, the ſaid religious men. Theſe things were done, as is above-written, in the year, indiction, pontificate, month, day, and place aforeſaid; and in the preſence of thoſe diſcreet men, Mr. William de Fereby of York, an advocate in the court of York; and Adam de Sartryn, a learned man from Hakneſſe, in the dioceſe of York; and others, who were ſpecially called upon, and requeſted to be witneſſes to the premiſes.

"And I, Nicholas Brown of Eſyngwald, Clerk, in "the dioceſe of York, a Public-Notary by apoſtolic "authority, was perſonally preſent with the before-"named witneſſes at the acknowledging, obligation, "and delivery of theſe premiſes, and all and ſingular "the above-named things, while they were ſo made "and done as is here premiſed: I ſaw and heard them "made; wrote them down, and reduced them into "this public form; and, being requeſted, ſet thereto "my uſual mark, to confirm and bear teſtimony to the "premiſes."

In the year 1393, died John of Richmond, Abbot of Whitby; on which occaſion the Chapter aſſembling to chuſe a new Abbot, we find the following account of their proceedings at that time.

"IN the name of God, amen. By this preſent public inſtrument be it known to all men, That in the year from the incarnation of our Lord, according 130

according to the courſe and computation of the church of England, 1393, being the firſt indiction, and fourth year of the pontificate of our moſt holy Father in Chriſt and Lord, Lord Boniface IX. by divine Providence, Pope, on the 4th day of September, in the morning, ſome time before they proceeded to the election of an Abbot for the Monaſtery of Whitteby, in the dioceſe of York, in the Chapter-houſe of the ſaid Monaſtery of Whitteby, theſe reverend, religious men and brothers, John Allerton, the Prior; Thomas of Hawkeſgarth, Prior of Mideleſburgh; Peter of Hertilpole, Burſar; Reginald of Eſyngton, Sacriſt; Robert of Boynton, Subſacriſt; William of Ormeſby, Almoner; Stephen of Ormeſby, Farmer; William of Yarme; William of Bokyngham, Maſter-Builder; Robert of Midilleſburgh, Kitchen-Cellariſt; Thomas of Hakeneſs, Chamberlain; William of Salton, Cellariſt; Thomas of Bolton; Thomas of Elyngton, Præcentor; Roger of Pykryng, Maſter of the bleſſed Virgin's altar; John of Ryſton, Hoſtler; Thomas of Butterwik, Subchanter; John of Whitteby; William of Garton, and Hugh of Garton, Monks in the ſaid Monaſtery of Whitteby, and then making (as they ſaid) the Convent or Chapter of the ſaid Monaſtery, perſonally preſented themſelves, in the preſence of me a Notary-Public, and the under-written witneſſes; when they cauſed me openly and publicly to read before them a certain order or ſtatute, reduced into writing, the tenor or form of which was as follows:— In the name of God, amen. We brothers, John the Prior and Thomas, Monks of Whitteby, in the dioceſe of York, and all and every the Monks of the ſaid Monaſtery here, preſent, conſidering with much anxiety of heart how in times paſt, through the undiſcreet government, and the inſolence, careleſſneſs, and negligence of thoſe who preſided over us, and alſo the thoughtleſs and indiſcreet covenants and agreements of our fraternity, innumerable diſadvantages, and a variety of expences have accrued to our Monaſtery, by which the goods and treaſures of our ſaid Monaſtery have been waſted, and gone greatly to decay. Now, being deſirous to provide againſt ſuch miſmanagement, as far as lies in our power, and to prevent and guard againſt this inſolence and heedleſſneſs for the future, by a ſtrict adherence to the ſacred canons and apoſtolic conſtitutions prudently made for that purpoſe, with one conſent we order and firmly determine, That whatever money ſhall, for the time to come, be raiſed by our officers from the church manors, and other the poſſeſſions of the ſaid Monaſtery, ſhall be brought to, and depoſited in, the treaſury of the ſaid Monaſtery; whence, after all our common and daily expences are deducted, it ſhall not be lawful for any officer, or other in his ſtead, or by his authority, or at his order, deſire, or command, to receive, take, or carry away any part of ſuch money ſo committed to the treaſury, on any occaſion, or under any feigned colour or pretence whatſoever, but what is to be laid out for the neceſſary uſes of the ſaid Monaſtery, and its unexpected emergences, or for ſome manifeſt advantage to the ſaid Monaſtery; and even then, it ſhall firſt be allowed and approved of by our Rulers, and the conſent of the whole Convent, or at leaſt of the major part of the ſaid Monaſtery, ſhall be deliberately and diſcreetly had: Nor may this be but when the ſaid neceſſities, caſualties, or advantages, can be relieved, obtained, or remedied,

remedied, by no other goods and poſſeſſions, or by no other ways and means. Alſo the univerſal ſtate of the Monaſtery ſhall once a year be declared in a chapter of the ſaid Monaſtery. Now we, the Prior, and all and every the aforeſaid Monks and brethren of the ſaid Monaſtery, and each and every of us ſeverally, ſwear upon the holy Evangeliſts, freely and ſpontaneouſly, in the preſence of the Notary-Public and the under-written witneſſes, that in whatever ſtate, honour, or degree we may be, we will punctually and faithfully obſerve the aforeſaid ordinance; and our deſire is, that one or more copies may be made of its contents. Theſe things were tranſacted, as is above written, in the year, indiction, pontificate, month, day, and place aforeſaid, in the preſence of theſe reverend and diſcreet men, Mr. Thomas de Walkyngton, Auditor of cauſes for the ſacred apoſtolic palace; and Mr. de Newark, an Advocate in the court of York, who were ſpecially called upon and requeſted to be witneſſes to the premiſes.

"And I Nicholas Broun of Eſyngwalde, Clerk, in the dioceſe of York, a Notary-Public properly authoriſed, was perſonally preſent, and with me the before-named witneſſes, while the aforeſaid Prior John Allerton, and all and every the Monks of the ſaid Monaſtery, then making (as they ſaid) the Convent or Chapter of the ſaid Monaſtery, cauſed the aforeſaid ordinance or ſtatute, when reduced into writing, to be read before them; as alſo when they agreed thereto, and ordered it to be drawn up in the above form; and likewiſe when all and every of them ſwore to the obſervance thereof, as mentioned above, in the year, indiction, pontificate, month, day, and place aforeſaid: I ſaw and heard all theſe things done as aforeſaid; and, being occupied in divers other weighty affairs, cauſed them to be written by another, and reduced into this public form, and have here ſubſcribed my name; and, being requeſted, ſet thereto my uſual mark, to confirm and bear witneſs to the premiſes."

After making this order, the Chapter of Whiteby proceeded to the election of a new Abbot, when Peter of Hartlepool, a Monk in the Monaſtery there, was unanimouſly appointed to that important charge, of whom nothing material occurs during the time of his reign, which was very ſhort, as appears from the following particulars contained in our Abbot's book the ſucceeding year.

"The Monaſtery of Whiteby being vacant by the death of Lord Peter of 131
Hertilpole, the laſt Abbot of the ſaid Monaſtery, who died on the 2d day of Auguſt, in the year of our Lord 1394, Mr. Thomas of Bolton ſucceeded him as Abbot of that Monaſtery, he being appointed and inſtalled on the 12th day of September, in the year aforeſaid. Which ſaid Thomas, at his nomination, as alſo all the other brothers, then forming the Convent or Chapter, with one conſent determined to make an inventory of their effects, according to what is required in the canonical ſtatutes made for that purpoſe.

"Now at the feaſt of St. Martin, in the aforeſaid year, it is found, by the regiſter office of the ſaid Monaſtery, that there are in our granges at Stakeſby,

Lath-Garth, Whitby-Laths, Filyng, Hakneſs, diverſe cowhouſes, and the tenants hands of the ſaid Monaſtery, (as more fully and plainly appears from rolls and bills made for that purpoſe) as follows, viz. animals of different ages, oxen, ſteers, cows, and calves, to the number of 394, valued at 182 l. 3 s. Alſo ſheep, two thouſand two hundred five ſcore and nine, valued at 171 l. 3 s. 4 d.: Alſo horſes and mares ſixty three, valued at 26 l. 3 s. 4 d.: Alſo goats fourteen, valued at 12 s. 6 d.: Alſo ſwine and pig-ſties at Semar, Hakneſs, and elſewhere, fifty, valued at 5 l.: Alſo in our grange, wheat five quarters, maſceline ſeven quarters, barley-malt ninety two quarters, oat-malt forty one quarters, barley one quarter, and peaſe three quarters: Alſo in our grange at Stakeſby, wheat fifty quarters, oats twenty quarters, and hay twenty waggon load, and wheat ſown there ſeventeen acres: Alſo in our tithe-barn there, wheat and maſceline twenty quarters, oats ſixteen quarters, and barley one quarter: Alſo in our barn at Lath-Garth, of our own growth, wheat twenty quarters, oats ſixty quarters, and hay ſeventeen waggon load: Alſo in our tithe-barn there, wheat and maſceline twelve quarters, oats thirty quarters, and wheat ſown thirty acres: Alſo in our grange at Whitby-Laths, wheat forty quarters, oats eighty quarters, hay twenty waggon load, and wheat ſown there thirty acres: Alſo at our manor of Medilwode *(in Fyling Dales)*, fifteen waggon load of hay: Alſo in the Cote, twenty waggon load of hay: Alſo in the Bothom-Cote, twenty four waggon load of hay: Alſo at the manor of Filyng, wheat three quarters, oats eight quarters, and hay fifteen waggon load: Alſo at the Henyngs there, twelve waggon load of hay: Alſo at our manor of Hakeneſs, wheat twenty two quarters, barley ten quarters, oats thirty three quarters, and hay ten waggon load: Alſo at Semar, wheat forty four quarters, beans in the huſk ſixty quarters, barley eighty quarters, oats twelve quarters, peaſe ten quarters, and hay eight waggon load: Alſo at Cayton, wheat ſixteen quarters, beans in the huſk forty quarters, barley two quarters, oats twenty quarters, peaſe two quarters, and hay fifteen waggon load: Alſo at our rectory of Aton in Clyflande, wheat and maſceline thirty quarters, oats ſixty quarters, barley three quarters, and peaſe two quarters: Alſo at Nunthorpe, wheat fourteen quarters, and oats twenty quarters: Alſo at Ingylby, wheat ſixty quarters, and oats thirty quarters: Alſo at Croſſeby-church 22 l.: Alſo there are in the Fyſchchows *(fiſh-houſe)*, eight laſt of herrings, three hundred ſalt fiſh, one hundred and twenty codlings, and three barrels of white herrings.

"Alſo, jewels in the Abbot's chamber: Firſt, ſix ſilver veſſels gilt with gold: Alſo ten ſilver diſhes or baſons, with five ſawſers or plates: Alſo ſix ſpoons gilt with gold, and thirty two other ſpoons of different weights: Alſo three ſilver cups gilt with gold, and two ſilver cups with covers *(or lids)*: Alſo four ſilver pitchers *(pit)* with covers, and two ſilver pitchers *(pet)* without covers: Alſo one ſilver cover: Alſo one ſilver godhed *(goblet)* enamyld: Alſo two ſilver ſalt-ſellers, one of them with a cover, and the other not: Alſo one ſilver plate for a ſpeculum or looking-glaſs: Alſo two ſilver ewers, one of them gilt with gold, and the other not: Alſo one ſilver pitcher *(pet)* gilt with gold, and two ſilver phials: Alſo one china cup or bowl *(ciphus de murra)* with

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a cover, formerly Alexander of Lyth's, and two great china cups or bowls: Alſo two little ones without circles or handles *(ſine circulis)*, and ſix leſſer ones with circles or handles: Alſo one china cover, and a cryſtal croſs: Alſo three ſilver chalices *(calices)*, two of which are gilt with gold: Alſo two bed covers, with furniture ſuitable thereto, and others of different cloth and magnitude: Alſo three baſons and three lavatories, of copper: Alſo two pair of *cofers*, and other different things, which it is not neceſſary here to mention. The whole return of the aſſiſe amounts to 232 l. 5 s. 6 ¼ d.

" Alſo different debtors owe the Monaſtery 15 l. 10 s. and in our treaſury are 81 l. 6 s.

" Burthens incumbent upon the ſaid Monaſtery of Whitteby. Perpetual penſions: To the Lord Archbiſhop, a penſion for Semar of 5 l. 6 s. 8 d. To the Lord Prior of Weduhall, as per agreement, ten quarters of wheat: To the Lord of Semar, for our land in Everlay, 13 s. 4 d. To St. Leonard's hoſpital at York, for Petircorne, three thouſand herrings: To the Agent of our Lord the Pope in England, 7 s. 6 d.

* Corrodies granted for term of life: To Mr. Thomas Walkyngton, fourteen white loaves, and fourteen flagons of conventual ale: Alſo Ralph Rogerſon receives fourteen white loaves, and fourteen flagons of conventual ale; likewiſe ten coarſe loaves, and ſeven flagons of beer: Alſo William Marſyngale receives eight white loaves, and eight flagons of conventual ale: Alſo the corrody of our Lord the King, which William Ak receives, is ſeven loaves, and ſeven flagons of conventual ale: Alſo Lyulph de Laund receives eight loaves, and eight flagons of conventual ale: Alſo John Harwode receives eight loaves, and eight flagons of conventual ale: Alſo Cecily Percour receives ſeven loaves, and ſeven flagons of conventual ale: Alſo Walter Percar receives eight loaves, and eight flagons of conventual ale: Alſo Robert Pynder receives ſeven loaves, and ſeven flagons of conventual ale: Alſo Roger Malynſon receives ſeven loaves, and ſeven flagons of conventual ale: Alſo Thomas Percour receives fourteen loaves, and ſeven flagons of beer. The yearly amount is 112 loaves, made from half a quarter of wheat; and ninety eight flagons of ale, made from three quarters of oat-malt. Alſo William Schephird receives ſix quarters of oatmeal. Alſo the cloaths granted to the aforeſaid Corrodiſts, amount to the yearly ſum of three pounds. Alſo cooking, and other neceſſaries, for the above-mentioned Mr. Ralph and Mr. Thomas, come to the yearly ſum of 41. 12 s.

* A Corrody was a yearly allowance of meat, drink, and cloathing, to ſuch as lived on the liberality of ſome particular Monaſtery. There is reaſon to believe, that not only Rogerſon, but alſo Walkyngton, who is mentioned before in page 257 of our hiſtory, were both quartered upon this Monaſtery by order of the Pope; as was Ak, by order of King Richard II. who kept a Corrodiſt in every conſiderable Monaſtery throughout his dominions, to ſee that nothing was contriving or hatching there, to the detriment or prejudice of the ſtate, by the Monks or Canons, who were at beſt conſidered only as half ſubjects, and in reality owed the greateſt part of their allegiance and obedience to the See of Rome.

" Repairs wanted in the buildings belonging to the aforeſaid Monaſtery: Firſt, the Abbey buildings to be covered with lead, including an aqueduct, will require the ſum of 220 l.: Alſo other buildings, below the Abbey, require the ſum of 30 l.: Alſo Stakeſby Grange requires 13 l. 10 s.: Alſo Lath-Garth requires the ſum of 24 l.: Alſo Whitby-Laths require 23 l.: Alſo Medilwode requires the ſum of 16 l.: Alſo Filyng requires the ſum of 3 l.: Alſo Hakneſs requires the ſum of 10 l. 8 s. 6 d.: Alſo Semar requires the ſum of 8 l.: Alſo Eſkdale requires the ſum of 18 l.: Alſo Aton in Clyfland requires the ſum of 10 l.: Alſo Ingilby requires 13 l. 6 s. 8 d.: Alſo Croſby requires 20 l.: Alſo our ſheep houſes require 5 l. to put them in repair: Alſo Filyng Park requires the ſum of 5 l. The Debts of the Monaſtery of Whytteby amount to the ſum of 85 l. 14 s. 4 d."

In the year 1395, the neat revenues of Whitby Abbey appear to have been 654 l. 5 s. 2 d½. Alſo the whole expences of the Monaſtery from Whitſuntide 1394, to the Martinmas following, are found to be 306 l. 4 s. 7 d. and from Martinmas 1394, to Martinmas 1395, theſe expences amount to 664 l. 11 s. 6 d½. excluſive of ſome debts that were diſcharged in that time; ſo that we are certain the Monks then made no ſavings out of their yearly income. I have now before me ſeveral of their rolls, in which every *item*, both of their outgoings and income, are particularly ſet down. Thoſe that contain an account of their yearly revenue are very curious; but I think theſe, in which we have a detail of all their expences, are much more ſo. My want of room will not allow me here to inſert the whole at large; nevertheleſs, to oblige the curious, I ſhall make ſome extracts from theſe laſt-mentioned rolls, which ſuch as are properly qualified may peruſe at their leiſure.

Excerpta quædam ex Rotulis Cœnobii Whitbienſis annis 1394, 1395, et 1396.

	£.	s.	d.
" In expens. balli per II vices ad Aſſ. Ebor.	0	10	0
It. eid. de feodo ſuo de terio ſti Marti A°: 1392	1	0	0
It. pro uno doleo vini empt.	2	6	8
It. pro XIIII lagenis vini empt. die ſtæ Hildæ	0	5	4
It. pro III barell. allec. alb. empt.	0	18	7
It. pro VII^{c} allec. recent. empt.	0	3	4
It. pro I quart. jelofris	0	1	6
It. pro I quart. pis. albor.	0	4	0
It. magro Thom. de Wallyngton pro focali	0	9	4
It. Willo Daynell pro I ſue II hoggis et II porcell.	0	8	6
It. in jentaculo facto noviciis	0	3	5
It. noviciis ad ordines	0	2	0
It. pro XXVI ulnis canaby empt. pro pacclathis	0	12	3
It. Johi Harwood pro I equo per Johm Richemond empt.	0	18	0
It. pro cirothecis empt. pro ludentibus die corporis X^{i}	0	1	10
It. Johi Boweland pro pellibus pro focular. eod. die	0	1	3

It.

	£.	s.	d.
It. Capllo de Lith pro decima piſcatorum in iſta villa piſcantium parochiæ ſuæ	0	1	2
It. pro ſeruris pendentibus empt.	0	1	3
It. magro Nicho. de Eſyngwald pro ſcriptur. duor. inſtrum.	0	3	4
It. pro XXX tignis abieginis empt.	1	0	0
It. pro groſſo marenno empt. ſuper ſabulum	1	8	0
It. pro II wey ſalis albi empt.	2	0	0
It. pro I porpaſe empt. de Johe Petilton	0	6	8
It. pro vaſis et ciphis empt. ad fm ſtæ Hildæ	0	6	8
It. pro ſandre et ficubus empt. pro eod. feſto	0	3	5
It. pro naprunis emptis pro eod. feſto	0	2	0
It. pro XV uncis croci	0	8	6
It. pro I lib. piperis die ſtæ Hildæ	0	1	4
It. pro tabulis empt. de Johe Spicer pro ciſta Abbatis defuncti Petri	0	3	4
It. pro IIII petris caſei empt.	0	3	0
It. pro I quartrone galangæ empt. de quod. extraneo	0	1	3
It. pro dim. lib. de canell. empt. de eod.	0	0	10
It. pro VI lib. de rayſyncurans empt. pro confirmatione	0	3	0
It. pro dim. lib. de macis	0	2	8
It. pro dim. lib. de ſandres	0	4	6
It. pro I lib. de jelofre	0	6	0
It. pro dim. lib. pulveris zinzebris	0	1	8
It. pro dim. lib. de orage	0	0	8
It. pro ſugre	0	0	5
It. pro VII lib. rizarum	0	0	8
It. pro factura ceræ pro Abbate defuncto	0	1	4
It. Johi Latanio pro poſitione petræ ſuper eum	0	8	0
It. magro Nicho. de Eſyngwald pro proceſſu capt. contra Henricum del Lane	0	6	0
It. pro XII ulnis panni colorati empt. pro calagis	1	4	0
It. pro XXIIII lib. amydalarum	0	6	0
It. pro pergameno et papiro empt.	0	2	9
It. pro V petr. candel. empt.	0	8	0
It. pro II cucull. et I floco empt. pro Abbate Petro	1	1	0
It. pro tewyng XIIII pellium luporum	0	1	9
It. pro herunſewes empt.	0	6	8
It. pro I rete pro feris empt.	0	10	8
It. Johi Lowenay pro XII pair ſocular.	0	1	8
It. pro ſuitione XXIII par. caligarum	0	1	8
It. pro II wey ſalis groſſi empt.	1	2	0
It. dno Willo de Levyngton pro ſcriptura hujus compoti	0	3	4
It. capllo celebrant. apud Aſſelaby pro termino	0	8	0
It. pro XXIII paribus cirotecarum	0	3	6
It. Matildi Preket pro ſiccatione CCC. IIII. VI. piſc.	0	11	3

It.

	£.	s.	d.
It. pro botis empt. pro Abbate	0	1	6
It. pro Sperſtane et Ratonbrede empt.	0	2	2
It. tripidiantibus die corporis X	0	3	4
It. in pecunia dat. pro aia Petri Abbatis	0	9	0
It. citharedis et fiſtulatoribus die ſtæ Hildæ	0	13	4
It. cuid. lutori ſubtili et ſocio ejus	0	2	0
It. magro Alano de Newerk in confirmatione Abbatis	3	6	8
It. clerico ſuo	0	13	4
It. magro Rogero de Eſingwald	0	13	4
It. magro Willo de Cawod	3	6	8
It. magro Johi de Scardeburgh	2	0	0
It. miniſtrallis die confirmationis Abbatis	1	1	4
It. Johi Scott harpo.	0	3	4
It. cuid. mimo ludenti in ſacco	0	0	8
It. ſuffraganeo pro benedictione Abbatis	1	6	8
It. clericis capellæ archiepi.	2	0	0
It. magro Rico Waghen Official. Cliveland.	0	13	4
It. Archidiacono pro ſtallatione Abbatis	3	6	8
It. hiſtrionibus	0	2	0
It. cuid. differenti literam de Roma	0	0	6
It. pro II doſan lib. rys	0	3	0
It. pro dats VI lib.	0	3	0
It. pro II cignis	0	9	6
It. pro I doſan partryks	0	3	0
It. pro I doſan pluwers	0	3	0
It. pro I doſan telys	0	3	0
It. pro I doſan wypis	0	2	0
It. pro II doſan feldfars	0	1	0
It. pro II doſan ſmalbirds	0	0	7
It. pro III pyks et cariat. earum	0	12	8
It. pro IIII ſtyk browet eyl	0	2	4
It. pro II ſtyk roſtyng eyls	0	6	6
It. pro torchis ponder. LVI libr. pret. libr. 3 ½ d.	0	16	0
It. pro ollis le oys Prioris et Coquinæ	0	2	8
It. pro II oyſtirs dno Abbati et Conventui	0	5	0
It. pro XII. ciphis Abbati	0	1	0
It. pro I ſalmon dno Abbati	0	3	4
It. pro II quaternis papiri	0	0	10
It. pro XII ulnis de ſecclath	0	3	0
It. Aliciæ Toppyng pro II petr. lanæ	0	4	0
It. pro IIIM Allec. ſto Leonardo	1	10	0
It. in expens. circa cauſam inter nos et Rectorem de Lyth	44	13	7
It. pro ſtroma comp.	0	3	4
It. collectori dni Papæ	0	14	0

Item

	£.	s.	d.
Item ſancto Lothwïco pro equis	0	0	8
It pro libbyng porcorum	0	0	10
It. magris nanium ad potum ex precepto Abbatis	0	3	4
It. Rico Cotom II piſc. ſals.	0	2	0
It. eidem I kymp allec.	0	5	0
It. miniſtrallo vocat. Walton pro I par. Beds	0	1	8
It. pro I kelyng magro Johi Karlton	0	1	0
It. Robto Scott ex merciamento ex dono Abbatis	0	2	0
Item eſcatori dni regis et ſervis ſuis	1	0	0
It. pro I ſproyſcay dno Abbati	0	1	0
It. pro I clave ad Arnioriolium ſuum	0	0	2
It. pro I clave ad oſtium de Errel.	0	0	2
It. pro II togis Robto Layſon et Paietto Aulæ	0	7	6
It. Johi Ugthorpe pro XX plauſtr. bruar.	0	6	8
It. Robto Ward pro LX plauſtr. turbarum	0	10	0
It. Johi Ward pro XL plauſtr. de pets	0	6	8
It. pro I celdr. carbonum de una navi Novi caſtri	0	3	4
It. de navi Johis Thorpe pro II celdr. carbonum	0	6	8
It. de Baxſter de Burton pro IIII celdr. carbonum	0	13	4
It. de una navi de Schels pro II celdr. carbonum	0	8	0
It. de Willmo Rede de Sundirland IIII celdr.	0	13	4
It. I ſuan pro XXIIII diebus minitanti plauſtrum	0	4	0
It. pro IIII^{or} et dim. petr. de Derhar.	0	4	7
It. pro VI pes de Gyrthwebs	0	2	0
It. pro II doſan wam tow ſchafts	0	2	0
It. pro I barell. de pyk	0	3	0
It. Willo Gowſill pro XL quart. bras. ord.	8	0	0
It. pro X qrt. fri	1	13	4
It. pro IIII pyps vini per tall.	10	6	8
It. pro I pyp. extra tall.	1	7	3
It. pro I equo dno Abbati	6	0	0
It. pro I rete pro piſcatione apud Filyng	0	1	4
It. pro XXVIII. gallinis lakis	0	4	8
It. pro cibo VI hominibus falcantibus apud Filyng	0	0	6
It. Rico Cras pro IIII porcell. ad natale	0	2	0
It. pro II moldebredeclutis et IIII plughſtrakis	0	1	6".

We are informed in Rymer's Fœdera, vol. vii. p. 788, that, "in the year 1394, prodigious ſhoals of herring appeared off the port of Whitby, which occaſioned a vaſt reſort of foreigners, who bought up, cured the fiſh, and exported them, to the great injury of the natives; to prevent which, the King iſſued a proclamation, directed to the bailiffs of St. Hilda's church, requiring them to put a ſtop to theſe practices."

Now by the Abbey rolls for that year it appears, that herrings were then taken upon our coaſt, and cured at Whitby; alſo that, after laying in a ſufficient

ſufficient quantity for their home conſumption, the reſt were diſpoſed of by the Monks, as opportunity offered, to foreigners or others who would purchaſe them; but the whole ſum received for all the fiſh then ſold at Whitby was by no means conſiderable, as is evident from the following extract, taken from the original Abbey rolls, anno 1394.

Venditione Piſc. et allec.

De IX laſt IIIM allec. ſiccatorum in domo piſcar. de quibus V laſt VIM allec. bonæ, et III laſt VIIM de offall.

	£.	s.	d.
De quibus I laſt bonæ allec. vend. celer. coquinæ	5	0	0
Item eidem dim. laſt de offall.	1	13	4
Item eidem pro III barrell. allec. alb. ſibi vend.	1	8	0
Item pro II laſt IIIIMVC vend. per Nichol. toll.	10	10	10
Item pro II laſt VIIMVC vend per eundem	6	9	10
Item pro allec. vet. vend. per eundem	0	10	0
De CCC piſc. ſals. dimiſſ. ad fm ſci Martini pret. piſc. 10 d.	15	0	0
Item de CXXV codling. pret. cujuſque 3 d.	1	16	3
Smª	42	8	3

In the year 1400, we have the following record relating to the church of Croſſeby-Ravenſwarth.

100 "TO all ſons of holy mother Church to whom theſe preſent letters ſhall come, William, by divine providence, Biſhop of Karliol, wiſhes eternal health in the Lord. When we cited theſe venerable and religious men, the Abbot and Convent of Whiteby, in the dioceſe of York, poſſeſſing the pariſh church of Croſſeby-Ravenſwarth, in our dioceſe, as appropriated to them with all its rights and appurtenances, and ordered them to be peremptorily called before us, on a prefixed day and place, to ſhew and make good the title which they pretend to have for retaining the ſaid church, the ſaid religious men, on the day and place appointed, appeared before us by their Proctor; who, for them, and in their name, produced certain letters and inſtruments for their obtaining the ſaid church; by which, and other evidences and proofs then laid before us, he gave our office ſuch full and ample information on this head, that we abſolve them, and the proctor in their name, from any further proſecution in our office, about the ſaid benefice, and their manner of obtaining it; and do hereby diſmiſs them as abſolved. In teſtimony whereof our ſeal is hung to theſe preſents, dated at our manor houſe the Roſe, on the 8th day of January, in the year of our Lord 1400, and of our conſecration the firſt."

83 In the year 1402, Richard, *(Scroope)* Archbiſhop of York, Primate of England, and Pope's Legate, granted the Abbot and Convent of Whitby letters teſtimonial, of the ſame nature, in the ſame form, and nearly in the ſame

ſame words, with thoſe granted by his predeceſſor John, in the year 1363, (for which ſee page 250) which therefore we ſhall omit inſerting here, and only obſerve that they are "dated at his manor-houſe of Reſte, on the 20th day of September, in the year of our Lord 1402, being the fifth from his tranſlation."

There are alſo other letters teſtimonial, in the ſame form, and almoſt in 83
the ſame words with theſe laſt-mentioned, granted to the Abbot and Convent of Whitby, by Henry, Archbiſhop of York, Primate of England, Pope's Legate, and ſucceſſor to Scroope, which we ſhall likewiſe omit inſerting here, and only obſerve that they are "dated at Stokeſley, in the courſe of his viſitation, on the 7th day of July, in the year of our Lord 1410, being the third year from his tranſlation."

In the year 1413, died Thomas of Bolton, Abbot of Whitby, and was ſucceeded by a Monk called John of Skelton, who, by the chapter there, was elected Abbot in his room on Nov. 6, 1413.

During the time of this Abbot's reign, John of Brompton, (ſo called from a village near Semar, where he was born) took upon him the habit of a Benedictine Monk, and lived more than twenty years in Whitby Abbey. He had an extraordinary genius for letters, and made ſuch improvement in the arts and ſciences, that he was accounted the beſt ſcholar of the age in which he lived. In particular his knowledge in hiſtory and antiquities ſpread his fame over the whole Iſle of Britain: For theſe, his abilities were ſo univerſally known, that his opinion therein was, by the learned, conſidered as the deciſions of an oracle. After much ſolicitation, he ſet about writing the annals of the Engliſh nation; a work that was the labour of many years. This, Brompton intirely compoſed while reſident in Whitby Abbey; and 'tis this that has gained its author immortal honour: For if we regard the elegance of the ſtyle in which it is wrote, it may juſtly be ranked with Malmeſbury and Ingulphus; but if we have reſpect to the matter contained therein, it is by no means to be equalled by any Monkiſh hiſtorian that England ever produced.

And here I cannot help animadverting upon the illiberal reflections made by the tranſlator of Rapin on this great ornament of our Monaſtery, who endeavours to inſinuate his inability to compoſe ſuch a work; and ſays, "it is generally believed that Brompton purchaſed that chronicle ſome where or other, and beſtowed it upon his Monaſtery, after falſly aſſuming the honour of writing it to himſelf;" alledging this as a reaſon for ſuch his opinion, "That no notice is taken therein of the foundation of Joreval-Abbey, where Brompton, as Abbot, ſpent all the latter part of his life." But how is it poſſible to think this event ſhould be recorded in his hiſtory, when it is ſo very inconſiderable a national affair, and our author, when he wrote his annals, could not have the leaſt ſuſpicion that he was ever to be Abbot of Joreval; a dignity that was conferred on him unſought for, and procured merely by the fame of his extraordinary merit and diſtinguiſhed worth? This chronicle commences about the year 588, when Auſtin and his followers firſt came into England to preach the goſpel among the Saxons, and ends in the year 1198, which was the period it was brought down to when Brompton left

Whitby, anno 1436. It is true he carried his chronicle along with him to Joreval; but the multiplicity of buſineſs in which he was always afterwards involved, and the few years he lived there as Abbot, hindered him ſo much from proſecuting his ſtudies, that no further additions were ever made thereto; and we have it indeed not ſo compleat as could be wiſhed, but what we have is abundantly ſufficient to eſtabliſh the character of its author among all ſucceeding hiſtorians to the lateſt period of time.

A Latin inſcription, which is the only one that now appears in Whitby Abbey, and is yet partly legible on a pillar in the choir, ſhews the great veneration afterwards paid to the memory of this hiſtorian by our Convent, who cut out the ſame to perpetuate through future ages his having been one of their fraternity. It contained the following words, viz. "Johannes de Brumton quondam famulus Dei in hoc monaſterio extructo in honorem Dei et Virginis beatæ Mariæ." That is, *John of Brompton was formerly a ſervant of God in this monaſtery built in honour of God and the bleſſed Virgin Mary.*

About the year 1740, an illiterate fellow, not underſtanding the meaning of this inſcription, took it into his head that it contained an account of ſome treaſure concealed in the pillar where it was; to obtain which, he went privately in the night, and knocked out the centre or middle ſtone thereof; but, to his great diſappointment, met with no money. The inſcription is now imperfect; and the above is taken from a copy thereof preſerved by the Rev. Mr. Borwick, formerly miniſter of this place, from whom I received it more than twenty years ago.

85 In the year 1431, William Nelſon, Archdeacon of Cliveland, in the courſe of his viſitation, on July 14, ſuſpecting the chapel of Fylynge to be a mother church, and no ways dependent upon the church of Whiteby, ordered diligent inquiſition to be made, in the ſame manner as had formerly been done by Archdeacon Heliwell, anno 1353, (ſee page 249) when the Abbot and Convent of Whiteby produced ſuch authentic records, and ſo undeniable teſtimony, of its having, ever ſince its firſt foundation, been a chapel dependent upon the church of Whiteby, that in confirmation thereof he was induced to grant them letters teſtimonial, wherein he certifies, "That not only the chapel of Fylyng, but alſo thoſe of Aſſelby, Ugilbardby, Dunſley, and Haukyſgarth, are dependent upon Whiteby as their mother church. In teſtimony whereof he ſet his ſeal to theſe preſents, dated at Kyrkeby-Myſperton, during the courſe of his viſitation, on the 6th day of the month of Auguſt, in the year of our Lord 1431."

In the year 1437, died John of Skelton, Abbot of Whitby, and was ſucceeded by Dr. Hugh Elerton, whom the chapter of Whitby elected in his room, and who was inſtalled as Abbot, on May 10, anno 1437.

When the church of Huntington, near York, was given to the Monaſtery of Whitby, Roger, the Abbot and Convent of Whitby, obliged themſelves, and their ſucceſſors, to pay ten ſhillings annually for the ſame to the Abbot and Convent of Eveſham in Worceſterſhire. Afterwards the Monaſtery of Whitby agreed to part with this church to the Vicars Choral of York for a yearly penſion of 13 s. 4 d. which was to be paid them out of the revenues and

profits

profits thereof, over and above what was due yearly to the Abbot and Convent of Eveſham. This agreement Thoreſby, Archbiſhop of York, confirmed; and, on the 16th of May, 1354, appropriated the before-mentioned church to the ſaid Vicars, who have ever ſince been in poſſeſſion thereof. Moreover, on the laſt of May, 1438, John Kempe, the then Archbiſhop of York, exempted the ſaid church from Archdeaconal viſitations.

In the year of our Lord 1440, William Salvain, Eſq; of Newbiggen, by his laſt will, proved the 9th of September, ordered his body to be buried in the Ambulatory, in the Monaſtery of Whitby.

In the year 1445, "King Henry VI. by his royal charter, dated at Weſtminſter, on the 2d day of December, in the 24th year of his reign, being willing to ſhew his ſpecial favour and bounty to Hugh the Abbot, and the Convent of the Monaſtery or Church of Whitby, and their ſucceſſors, of his own mere motion and knowledge, for himſelf, his heirs and ſucceſſors, as far as lay in his power, granted to the ſaid Abbot and his ſucceſſors, among other things, that he and his ſucceſſors ſhould have, for ever, by their bailiff or bailiffs, the return of all writs, orders, commands, and bills, from him the ſaid King, his heirs and ſucceſſors, his Sheriffs, Eſcheators, Coroners, Admirals, Wardens of the Marches, Bailiffs, or other ſervants whatſoever, to be executed in, or upon, any, or all of the manors, lands, tenements, or freeholds, of them the ſaid Abbot and Convent, or their ſucceſſors, whether the proſecution were at the ſuit of the ſaid King, his heirs and ſucceſſors, by the ſaid King, his heirs and ſucceſſors alone, or by him, his heirs and ſucceſſors, jointly with other perſon or perſons, or it were at the ſuit of any others whatſoever; and alſo the execution of all manner of writs, mandates, orders, and bills, as aforeſaid, ſo that no Eſcheator, Coroner, Admiral, Warden of the Marches, Bailiff, or other ſervant of the ſaid King, his heirs or ſucceſſors, might enter into the manors, lands, tenements, or freeholds aforeſaid, to do any buſineſs there, except in failure of them the ſaid Abbot and Convent, or their ſucceſſors, or their Bailiff or Bailiffs. And that the ſaid Abbot and Convent, and their ſucceſſors, for ever, ſhould have all the goods and chattels of all their homagers and tenants, whether reſiding or not reſiding there, and alſo of all other reſidents in, or upon, any, or all the manors, lands, tenements, and freeholds aforeſaid, forfeited for felony, contempt, treſpaſs, debt, or any other cauſe or reaſon whatſoever, whether at the ſuit of the ſaid King, his heirs or ſucceſſors, by himſelf, his heirs or ſucceſſors alone, or by himſelf, his heirs or ſucceſſors jointly with any other perſon or perſons, or at the ſuit of any other whatſoever: And likewiſe all manner of goods and chattels of all their homagers and tenants, whether reſiding or not reſiding there, and of all other reſidents as aforeſaid, who are ſuicides, felons, fugitives, condemned perſons, outlaws, and waviates, whether confiſcate or to be confiſcated; ſo that if any ſuch men, homagers, or tenants, reſiding or not reſiding there, or any other reſidents as aforeſaid, for felony, or any other cauſe or reaſon whatſoever, are to loſe life or limb, fly away, will not ſtand in judgment, are outlawed, or have committed any crime or treſpaſs for which they ought to loſe their goods

and chattels, whereſoever juſtice is obtained againſt them, whether before the ſaid King, his heirs or ſucceſſors, or before the Juſtices of the ſaid King, his heirs or ſucceſſors, on pleas to be held and determined before him, his heirs or ſucceſſors; or before the Juſtices of either Bench of him, his heirs or ſucceſſors; or in the Chancery of the ſaid King, his heirs or ſucceſſors; or before the Treaſurer and Barons of the Exchequer of the ſaid King, his heirs or ſucceſſors; or before the Barons of the Exchequer of him, his heirs or ſucceſſors; or before the Seneſchall, Marſhall, or Clerk of the Houſhold of the ſaid King, his heirs or ſucceſſors; or before the itinerant Juſtices of him, his heirs or ſucceſſors, for common pleas, pleas of the crown, or pleas of the foreſt; or before the Juſtices of him, his heirs or ſucceſſors, for felonies, treſpaſſes, or any other things whatſoever; whether to be heard, tried, and determined, at the ſuit of the ſaid King, his heirs or ſucceſſors, or at the ſuit of any other perſon or perſons whatſoever; or before the Juſtices of aſſize of the ſaid King, his heirs or ſucceſſors, for trying cauſes, taking inquiſitions by juries, and making jayl deliveries; or before the Keepers of the Peace of the ſaid King, his heirs or ſucceſſors; or before the Juſtices of him, his heirs or ſucceſſors, who are appointed to enforce the obſervance of ſuch ſtatutes and ordinances as are made for artificers, labourers, ſervants, and victuallers, and alſo for weights and meaſures; or before the Admirals and March-Wardens; or before any other officers or ſervants of the ſaid King, his heirs or ſucceſſors, as well in the preſence as in the abſence of him, his heirs or ſucceſſors; and in all other courts, places, and ſtreets, where the goods and chattels of them the ſaid Abbot and Convent, and their ſucceſſors, are to be found: And it ſhall and may be lawful for them the ſaid Abbot and Convent, and their ſucceſſors, by themſelves, their bailiffs or ſervants, without lett or hindrance from the ſaid King, his heirs or ſucceſſors, or any of the Officers, Juſtices, Sheriffs, Eſcheators, Coroners, Admirals, March-Wardens, Mayors, Bailiffs, Conſtables, or other ſervants whatſoever, of him, his heirs or ſucceſſors, to take ſeizin of the ſaid goods and chattels whereſoever they may be found, and to retain the ſame for the uſe and advantage of them the ſaid Abbot and Convent, as the Officers, Bailiffs, and ſervants of our ſaid Lord the King, his heirs or ſucceſſors, are accuſtomed and ought to take ſeizin of theſe goods and chattels on behalf of the ſaid King, his heirs or ſucceſſors, if the ſame were not granted by him to the aforeſaid Abbot and Convent, and their ſucceſſors: And this ſeizin they are to have, though theſe homagers or tenants of the ſaid Abbot and Convent, and their ſucceſſors, reſiding or not reſiding there, or any other reſidents, may ſome of them hold alſo of the ſaid King, his heirs or ſucceſſors, or of ſome other perſon or perſons, or be the Sheriffs, Bailiffs, or ſervants of the ſaid King, his heirs or ſucceſſors. Alſo the ſaid Abbot and Convent, and their ſucceſſors, for ever, ſhall have all treaſure that is found, as likewiſe the wreck of the ſea, whether lying or floating, with the waif and ſtraif on all and every the manors, lands, tenements, and freeholds aforeſaid; and alſo all fines for treſpaſſes, oppreſſions, extortions, deceptions, conſpiracies, concealments, regrating,

regrating, foreſtalling, with-holding, juggling, falſehoods, eſcapes, felonies, and miſpriſions whatſoever; and alſo all fines for leave to make agreements; as alſo all amercements, redemptions, forfeits of iſſues, and all manner of forfeitures, whether by writs of the ſaid King, his heirs or ſucceſſors, for attainder and præmunire, or by any other writs or mandates of the ſaid King, his heirs or ſucceſſors; and alſo all waſte ground, waſte wood, and deodands, with every other thing which might or ought to pertain to the ſaid King, his heirs or ſucceſſors, whether from that waſte ground and waſte wood, or from the murders, eſcapes, rapes, and felonies of whatever kind, of any of theſe homagers and tenants, reſident or not reſident, and all other reſidents as aforeſaid, belonging to the villages or hundreds in which the manors, lands, tenements, and freeholds aforeſaid are ſituate, in whatſoever courts of the ſaid King it may be, whether before himſelf, his heirs or ſucceſſors, in the Chancery of him, his heirs or ſucceſſors, or before him, his heirs or ſucceſſors, in any other part of England; or before the Treaſurer and Barons of the Exchequer of him, his heirs or ſucceſſors; or before the Barons of the Exchequer of him, his heirs or ſucceſſors; or before the Juſtices of him, his heirs or ſucceſſors, for pleas to be determined before him, his heirs or ſucceſſors; or before the Juſtices of either Bench of him, his heirs or ſucceſſors; or before the Seneſchall, Marſhall, and Clerk of the houſehold of him, his heirs or ſucceſſors; or before the itinerant Juſtices of him, his heirs or ſucceſſors, for common pleas, pleas of the crown, and pleas of the foreſt; or before the Juſtices of him, his heirs or ſucceſſors, for felonies, tranſgreſſions, oppreſſions, miſdemeanors, and other grievances and abuſes, whether to be tried and determined at the ſuit of him the ſaid King, his heirs or ſucceſſors, or at the ſuit of any other perſon or perſons whatſoever; or before the Juſtices of aſſize of him, his heirs or ſucceſſors, appointed to try cauſes by Juries, to take inquiſitions, and make jayl deliveries; or before the Keepers of the Peace of him, his heirs or ſucceſſors; or before the Juſtices of the ſaid King, his heirs or ſucceſſors, appointed to enforce the ſtatutes and laws relating to artificers, labourers, ſervants, victuallers, and foreſtallers, as alſo weights and meaſures; or before the Admirals and March-Wardens, or any other Juſtices, Officers, or ſervants of him the ſaid King, his heirs or ſucceſſors, as well in the preſence as in the abſence of him the ſaid King, his heirs or ſucceſſors, where the homagers and tenants aforeſaid, reſident or not reſident, as alſo other reſidents, with the villages and hundreds aforeſaid, may happen to be fined, amerced, forfeit iſſues, or to have judgment paſſed upon them in regard to waſte land, waſte wood, deodands, forfeitures, murders, or felonies of what kind ſoever; which fines, amercements, redemptions, iſſues, waſte land, waſte wood, forfeitures, deodands, found treaſure, waif and ſtraif, would and ought to belong to us the ſaid King, our heirs or ſucceſſors, if they were not granted to the ſaid Abbot and Convent, and their ſucceſſors. And that it ſhall and may be lawful for the ſaid Abbot and Convent, and their ſucceſſors, by themſelves, their Bailiffs and ſervants, to levy, collect, receive, and have all the aforeſaid fines, amercements, redemptions, forfeited

iſſues,

iſſues, forfeitures, deodands, found treaſure, wreck of the ſea lying or floating, waif and ſtraif, with all things that might belong to the ſaid King, his heirs or ſucceſſors, from the ſaid waſte land, waſte wood, murders, or felonies, and to take ſeizin of the ſame, without any claim, impeachment, or hindrance from the ſaid King, his heirs or ſucceſſors; or the Officers, Juſtices, and ſervants aforeſaid of him, his heirs or ſucceſſors; or from any other Juſtices, Eſcheators, Sheriffs, Coroners, Admirals, March-Wardens, Mayors, Bailiffs, Conſtables, or ſervants whatſoever, of him the ſaid King, his heirs or ſucceſſors; though theſe homagers and tenants of the aforeſaid Abbot and Convent, reſident or not reſident, or other reſidents whatſoever, in and upon the manors, lands, tenements, and freeholds aforeſaid, hold alſo elſewhere of the ſaid King, his heirs or ſucceſſors, or of any other perſon or perſons; though alſo the ſaid homagers and tenants, reſident or not reſident, and other reſidents as aforeſaid, ſhould be the Bailiffs or ſervants of the ſaid King, his heirs or ſucceſſors, or of any other perſon whatſoever; though alſo the bail or ſureties of the ſaid homagers and tenants, reſidents or not reſidents, or any other reſidents as aforeſaid, or any one of them, ſhould alſo hold elſewhere of the ſaid King, his heirs or ſucceſſors, or of any other perſon or perſons, or ſhould not reſide upon any of the lands or freeholds aforeſaid. Alſo the ſaid Lord King Henry VI. granted to the aforeſaid Abbot and Convent, That they and their ſucceſſors, for ever, ſhould be free from all ſuits of ſhires, cities, hundreds, wapentakes, and tithings of our ſaid Lord the King, his heirs or ſucceſſors, as alſo from mulcts and amercements throughout his whole kingdom of England: And that the ſaid Abbot and Convent, and their ſucceſſors, for ever, ſhould have and appoint of themſelves Market-Clerks to exerciſe ſuch power in their manors, lands, tenements, and freeholds, as pertains to the office of a Market-Clerk of the houſehold of the ſaid King, his heirs or ſucceſſors, ſo that no Market-Clerk of the houſehold of him, his heirs or ſucceſſors, ſhall be admitted into the manors, lands, tenements, or freeholds aforeſaid, to do any buſineſs there: And that the ſaid Abbot and Convent, and their ſucceſſors, for ever, ſhould have their own priſons or jayls in the town, liberty, and lordſhip of Whitby, and in the place or ſtrand thereof commonly called Whitby Strand. Alſo the ſaid Lord King Henry VI. granted to the aforeſaid Abbot and Convent, That they and their ſucceſſors, for ever, ſhould have free warren in all their manors and lands, unleſs in ſuch of their manor lands as are within the bounders of ſome foreſt; ſo that no perſon whatever might enter thoſe lands, to hunt in them, without the leave and liking of them the Abbot and Convent, or their ſucceſſors, under the penalty of forfeiting ten pounds: And that they the ſaid Abbot and Convent, and their ſucceſſors, for ever, freely, and without moleſtation, might uſe and enjoy all and every the privileges, cuſtoms, liberties, and franchiſes, in the foreſt of Pickering, belonging to our ſaid Lord the King, which the ſaid Abbot and Convent, and their predeceſſors, have been accuſtomed to uſe and enjoy in that foreſt. Alſo the ſaid King Henry VI. for himſelf, his heirs and ſucceſſors, granted, That the ſaid Abbot and Convent, and their

ſucceſſors,

ſucceſſors, ſhould have, hold, fully poſſeſs, and enjoy, all and every the liberties, privileges, immunities, franchiſes, cuſtoms, allowances, and acquittances whatſoever, or of what kind ſoever, granted to their predeceſſors, or to them and their ſucceſſors, whether by the charters and letters patent of the progenitors and predeceſſors of our ſaid Lord King Henry VI. heretofore Kings of England, or by thoſe of the ſaid King, according to the tenor, intent, and meaning of thoſe charters and letters; together with all and ſingular the other liberties, privileges, and free cuſtoms antiently held and uſed in a reaſonable way by the ſaid Abbot and Convent, and their predeceſſors; willing and granting further, That though the aforeſaid Abbot and Convent, and their ſucceſſors, or any of them, make no uſe of ſome of the liberties, privileges, immunities, franchiſes, acquittances, and free cuſtoms aforeſaid, yet they may fully, perfectly, and wholly uſe all or any of them, for ever, without moleſtation, impediment, or diſturbance from the ſaid King, his heirs or ſucceſſors, his Juſtices, Eſcheators, Sheriffs, Coroners, Admirals, March-Wardens, Bailiffs, or any other ſervants or officers of him the ſaid King, his heirs or ſucceſſors. And the ſaid King Henry VI. conſidering that the aforeſaid Abbot and Convent have been uſed, for time immemorial, to hold a market at Whitby aforeſaid every Lord's day throughout the year; and our ſaid Lord the King being willing to ſanctify that day, as is meet, of his own ſpecial grace and bounty allows the ſaid Abbot and Convent, and their ſucceſſors, to have and to hold a certain market at Whitby aforeſaid every Sabbath-day throughout the year, for ever, (unleſs that market be to the detriment of ſome neighbouring market), with all the emoluments, liberties, privileges, and free cuſtoms pertaining to this market, as they have been uſed to hold and keep the ſame on the Sabbath-day, ſo that no other common market ſhall be held any where in the neighbourhood, unleſs in time of autumn, as among other things it is expreſſed and more fully appears by the ſaid charter."

This is the laſt and moſt ample royal charter ever granted to Whitby Abbey, which ſet the Abbots there on a footing with petty Princes, conſidering the authority they were veſted with in thoſe manors belonging to their Monaſtery. Such indulgences gave great umbrage to the temporal Nobility, who looked with an evil eye on the overgrown power of theſe upſtart ſpiritual Lords, moſt of them, muſhroom-like, deſcended from the meaneſt extraction, whom therefore they could not regard as upon a level with themſelves: And it was the pride and immorality of the one, and the envy and malice of the other, which were one great means in the next century of bringing about the diſſolution of Monaſteries throughout the whole nation. Our Hoppet is at preſent all that remains of their priſons or jails in Whitby and Whitby Strand. As for markets and fairs, it was the cuſtom in thoſe days to hold them on Sundays, not only at Whitby, but alſo at ſeveral places in the neighbourhood; a thing which, conſidering their royal charter, muſt have been winked at by our Abbots, who had a power to ſuppreſs them all the year round, except in autumn; but it is certain that was never done; for though things were ſet to rights at

Whitby

Whitby by the parliament, about the year 1449, yet theſe petty markets and fairs ſtill continued to be held on Sundays in many adjacent villages; nor is that cuſtom as yet entirely aboliſhed among us, to the ſhame of our country be it ſpoken.

135 "In the year 1446, an inquiſition was made, by brother John Royd, of the lands in Skirtinbek belonging to the Abbot and Convent of Whitby.

"Memorand: That there are in Skyrtinbeke fourteen oxgang of land, the freehold of the Abbot of Whitby, two of which lie near the town of Battel-Bridge, and four others lie by two ſelions *(or ridges)* together on the ſouth ſide of the manor lands of the lord of Skirtinbek, except the forlangs where two ſelions are gathered *(or plowed)* together into one. Alſo there are eight oxgangs of land lying in the Flatts in the ſaid town field, the firſt of which lies in Northfeld above Wolfhow, and contains twenty two acres of land: Alſo in Northfeld is a Flatt called Andlohow in the Bothum, containing three acres of land; and in the ſaid Bothum a Flatt called Semperbrygg, containing three acres of land; and in the ſaid Bothum a Flatt called Angrumflatt, containing one acre and a half; alſo in the ſaid Bothum another Flatt called Angrumflatt, containing one acre and a half; and in the ſame Flatts a Flatt called Agan-Jenys, containing three acres and a half; and in the ſame a certain part called Bylbrek, containing by eſtimation three acres and a half.

"In the ſouth field a Flatt called Blaland-Flatt, containing ſixteen acres and a half of land; in the ſame field a Flatt which lies near the houſe *(juxta hoſpitium)* of the Lord Almoner of the Monaſtery of St. Mary at York, containing one acre of land; and in the ſame a Flatt called the Stokflat, containing eight acres and a half of land; alſo in the ſame field a Flatt called Lynghowflat, containing five acres of land; likewiſe in the ſame field another Flatt called Lynghowflat, containing two acres of land.

"In the weſt field of the ſame town a Flatt called Undyrſtanhow, containing three acres of land; and in the ſame a Flatt called Okflatt, on the bank of the Derwent, containing two acres; alſo in the ſame a Flatt called Eſtheflatt, containing eight acres of land; likewiſe in the ſame a Flatt called Mykylcarflatt, containing ſeven acres of land; alſo in the ſame a Flatt called Korngarthflatt, lying *north* and *ſuyth*, which contains three acres and a half; and near that, *buttyng* upon the end, another Flatt lying *eſt* and *weſt*, containing three acres of land.

"In this town ten carucates make a Knight's fee, and eight or ten oxgang make a carucate of land, and twelve acres make an oxgang of land.

"And in the ſame town a toft lying in the northern part thereof, having the pond of the Monaſtery of St. Agatha on its eaſt ſide, and a certain toft of the honourable the Earl of Sarum on its weſt ſide. And in the ſame town another toft with a croft, containing half an acre of land, in the ſouthern part of the town, having the Prieſt's croft on its eaſt ſide, and a toft of the aforeſaid Earl of Sarum on its weſt ſide.

"And in the ſame town one meſſuage, with three cottages and gardens; as alſo the buildings near the Rector's manſion-houſe."

We

We have already obſerved, in page 251, that the pariſh church of Hutton-Buſhell was divided into two medieties, on which account two Rectors were always retained by the Monks of Whitby to do duty there. Now on the 7th of Auguſt, 1452, and 2d of October, 1453, John Kempe, Archbiſhop of York, appropriated both theſe medieties to the proper uſe of the ſaid Monks, after the deceaſe or reſignation of the two Rectors who were then the incumbents. And on the 9th of January, 1458, William Booth, Archbiſhop of York, conſtituted a perpetual ſecular vicarage there, and appointed John Ellerton thereto, a near relation to the Abbot of Whitby, allotting the tithe corn to the Monaſtery of Whitby, and the reſt of the profits to the Vicar for the time being.

In the year 1461, Dame Catharine Plaſe, of Whitby, by her will, proved the 24th of February, ordered her ſepulture in Whitby Abbey, at the place where our Lady's maſs was daily ſaid.

In the year 1462, died Hugh Elerton, Abbot of Whitby, and was ſucceeded by Thomas Pickering, a Monk born at Pickering, who was, by the Chapter of Whitby, elected and inſtalled Abbot on the 16th of March, 1462.

In the year 1471, Sir John Salvain, of Newbiggen, Knight, by his will, proved the 11th of January, directed his corpſe to be buried before the great altar in the church of Whitby.

And in the year 1474, John Nightingale, Rector of Sneton, by his will, proved the 16th of February, appointed his burial to be on the north ſide of Whitby Abbey, before the croſs.

In the year 1475, died Thomas Pickering, Abbot of Whitby, and was ſucceeded by William Colſon, who was elected Abbot in his room on the 17th of October, 1475, of whom we know nothing further, but that he died in the year 1499, and was ſucceeded by John Lovel, a Monk belonging to the Monaſtery of Whitby, who, by the Chapter there, was elected Abbot on the 23d of July, 1499, and reigned no more than two years before he paid the debt of nature. He was ſucceeded as Abbot by a Monk called William of Eveſham, whom the Chapter of Whitby elected in his room on the 2d of October, 1501.

In the year of our Lord 1502, we meet with the following record:

"TO all faithful chriſtians to whom this preſent writing ſhall come, we, William of Eyvſham, Abbot of the Monaſtery of Saints Peter and Hilda at Whytby, of the order of St. Benedict, in the dioceſe of York, and the Convent there, greeting in the Lord. Know ye, that with our common and unanimous conſent and aſſent, for ourſelves and our ſucceſſors, we have given and granted to our beloved in Chriſt, John of Mount Valory, a certain yearly penſion of five marks, of good and lawful money of England, to be held, poſſeſſed, and received by the ſaid John of Mount Valory, from us and our ſucceſſors, yearly, till the ſaid John of Mount Valory is promoted to ſome competent eccleſiaſtical benefice, at two terms in the year, viz. the feaſt of the Annunciation of the bleſſed Virgin next after the date of theſe preſents, and the feaſt of St. Michael next following, in equal portions. In teſtimony whereof we have ſet our common ſeal to theſe preſents.

Dated in our Chapter-houſe, in the year of the chriſtian religion 1502, and in the 18th year of the reign of our moſt ſerene King Henry VII. on the 2d day of the month of September."

William of Eveſham, the Abbot of Whitby, died in the year 1505, and was ſucceeded by a Monk called John Beneſtede, who, on the 12th of Auguſt that ſame year, was elected Abbot in his room.

In the year 1508, James Strangways, of Sneton, by his will, proved the 2d of June, ordered his body to be interred in Whitby Abbey.

In that ſame year we meet with the following record:

"TO all faithful chriſtians to whom this preſent writing ſhall come, we, John Beneſtede, Abbot of the Monaſtery of Saints Peter and Hilda of Whitby, of the order of St. Benedict, in the dioceſe of York, and the Convent there, eternal greeting in the Lord. Know ye, that with common and unanimous conſent and aſſent, for ourſelves and our ſucceſſors, we have given and granted to our beloved John Staincton, keeper of the royal houſe at Richmont, called the wardrobe, a certain yearly revenue of forty ſhillings, of good and lawful money of England, ſolely at the inſtance of our moſt ſerene and illuſtrious Prince Henry VII. to be held, poſſeſſed, and received by the ſaid John Staincton, from us and our ſucceſſors, yearly, for the term of his life only, at two terms in the year, viz. the feaſt of St. Martin next after the date of theſe preſents, and Whitſuntide next following, in equal portions. In teſtimony whereof we have hereunto ſet our common ſeal. Dated in our Chapter-houſe, in the year of ſalvation 1508, and in the 23d year of the reign of our moſt famous King Henry VII. on the 8th day of the month of November."

In the year 1514, died John Beneſtede, Abbot of Whitby, and was ſucceeded by a Monk called Thomas Bydnell, who, by the Chapter of Whitby, was elected in his room on the 11th of November that year.

In that ſame year we meet with the following record:

"TO all faithful chriſtians to whom this preſent writing ſhall come, we, Thomas Bydnell, Abbot of the Monaſtery of Saints Peter and Hilda at Whitby, of the order of St. Benedict, in the dioceſe of York, and the Convent there, greeting in the Lord. Know ye, that with common and unanimous conſent and aſſent, for ourſelves and our ſucceſſors, we have given and granted to our beloved in Chriſt, Richard Pigot, a certain yearly penſion of five marks, of good and lawful money of England, to be held, poſſeſſed, and received (on account of the new creation of an Abbot in our Monaſtery), by the ſaid Richard Pigot, of us and our ſucceſſors, yearly, till the ſaid Richard Pigot is promoted by us, or our ſucceſſors, to ſome competent eccleſiaſtical living, at two terms in the year, viz. the feaſt of the Annunciation of the bleſſed Virgin Mary, and St. Michael the Archangel, in equal portions; and the firſt payment of this yearly penſion is to be made at the feaſt of the Annunciation of the bleſſed Virgin Mary next after

after the date of theſe preſents. In teſtimony whereof we have hereunto ſet our common ſeal. Dated in our Chapter-houſe, in the year of our Lord 1514, on the 18th day of December."

In the year 1515, we have another record, as follows:

"TO all faithful chriſtians to whom this preſent writing ſhall come, Thomas the Abbot, and the Convent of the Monaſtery of Saints Peter and Hylda at Whitby, in the dioceſe of York, true and undoubted patrons of the pariſh church of Slingiſby, and vicarage church of the pariſh of Semar, in the ſaid dioceſe of York, greeting in the Lord. Know ye, that, with unanimous conſent and aſſent, we have given and granted, and by this our preſent writing confirmed, to our beloved in Chriſt, Meſſieurs Ybrian Darlay, Profeſſor of Divinity, and George Evers, a Notary-Public, the advowſon and right of patronage to the pariſh church of Slengiſby, and the vicarage church of Semar aforeſaid, for one and the next turn only, when they ſhall happen to become vacant, to have and to hold the ſame, by them and their aſſigns, ſo that it ſhall and may be lawful for the ſaid Ybrian and George jointly, or either of them by himſelf ſeparately, or their aſſigns, effectually to preſent a proper Parſon to the ordinary for the ſaid church of Slengiſby or vicarage of Semar aforeſaid, for one and the next turn only, without gainſaying or contradiction from us or our ſucceſſors. Provided always, That as ſoon as ever any Parſon, on the preſentation of them the ſaid Ybrian and George, or their aſſigns, ſhall be properly admitted, inſtituted, and inducted by the ordinary, either to the aforeſaid church or vicarage, this grant ſhall thenceforward be of no vigor or force, but entirely null, void, and without effect.. In teſtimony whereof our common ſeal is hung to theſe preſents. Dated in our Chapter-houſe, on the 13th day of the month of June, in the year of our Lord 1515, and in the 7th year of the reign of King Henry VIII."

In the year 1516, died Thomas Bydnell, Abbot of Whitby; on which a Monk called John Whitby, born at Whitby, and many years reſident in the Monaſtery there, was by the Chapter elected Abbot in his room, on the 2d of Auguſt, 1516: But his reign was of ſhort duration, for next year he paid the debt of nature, and Thomas York, Prieſt of Myton, was, by the Chapter of Whitby, appointed to be his ſucceſſor, on the 8th day of January, 1517.

During the time of this Abbot's reign, we find inſerted in our records an account of the bounders of Whitby Strand; but theſe no ways varying from what they were in the days of the Abbot William de Percy, we ſhall omit repeating them here, and proceed to give the reader an account of the bounders of Pickering-Foreſt, or Pickering-Lythe, which were alſo put into the Abbot's book nearly about the ſame time, and are as follows: 129

"The bounders ſurrounding Pickering-Foreſt extend from How-Bridge along the Rye to the place where Sivon falls into the Rye, and thence along the Sivon to that place where the Sivon riſes out of the ground, and thence to

Richard's Croſs, and thence to Weſtſhon's Howes, and thence to Lowſohowes, and thence to Williamhowes, and ſo to Eſtſhonſhowes, and thence to the little rivulet in Wheledale, and thence by the ſaid rivulet to that place where the ſaid rivulet falls into the Mirke-Eſke, and along Myrkeſke to that place where Mirkeſke falls into the Eſke, and along the Eſke to that place where Lithebecke falls into the Eſke, and thence aſcending the northern fork of Lythebecke to the end of Calverleygait, and ſo under the brow of the hill to a great ſtone, and thence in a right line to Sill-Howes, and thence to Forſter-Howes and * Scotgrainehowes, and ſo to Lillehowes, and thence to that place where the Derwen riſes out of the earth, and thence along the Derwen to that place where Talebeke falls into the Darwent, and ſo along Talebeke to Byngs-Brigge, and thence by a ſyke to the old ditch *(or earth dyke)* of Elſycroft, and thence to Grenehede, and thence to the ditch *(or earth dyke)* between Suffelde-Moor and Scalbye-Hayes, and ſo along by the brow of the hill to Staincroſclyffegait, and thence by the brow of the hill to Thevifdyks, and to Capill-grave, and ſo to Kirklaw, and thence to Thornlaw, and thence to Swynſtyſhaw, and thence to Ingaldrakſines, and thence to Hardallelde, and thence to Wolf-Pitts, and thence to Grenedyke, and thence to Blawyke, and ſo by the high water mark of the ſea to Thruſbrige, and thence to the water-drain of Trevendrait, and thence along the ſaid water-drain to the middle of Fyvelay-Marſh, and thence to Stockbrige, and thence to Brenkholme, and thence to a ſtone in Stavynholme, and thence to the middle of Haverforde-Marſh, and ſo along Haverforde-Marſh to the Darwent, and along the Derwent to that place where the Rie falls into the Derwent, and thence along the Rye to How-Bridge.

" And within theſe bounders the burgeſſes of Scarbrough, and manor of Walliſgrave, are diſinforeſted; and the burgeſſes of Scarbrough poſſeſs the ſaid manor by the antient ſhire-diviſion of Walliſgrave, and by the charter of Lord King Henry, father of the moſt illuſtrous Lord King Richard."

Within the aforeſaid bounders of Pickering-Foreſt is included the lordſhip or manor of Stainton-Dale, adjoining to Blawyke and Green-Dyke; though, for many ages, it has never been eſteemed to be a part of that foreſt. This manor, about the year 1140, was given by King Stephen to the Knights Templars, on ſuch conditions, that a Chaplain ſhould be always retained by them, to perform divine ſervice there daily, and to pray for the Kings of England and their heirs. And, as it was a deſert place, they were alſo to entertain ſuch poor people and travellers as paſſed that way; and moreover were to provide themſelves with a good ſounding bell and a horn, which bell they were to ring, and which horn they were to blow, in the duſk of every evening, to give notice to all ſuch paſſengers as had loſt their way where they might repair to meet with hoſpitable lodging and entertainment.

In proceſs of time this order of Knights, having rendered themſelves extremely odious to moſt of the crowned heads in Europe, were ſuppreſſed, and all their large revenues and poſſeſſions ſequeſtered; on which the manor of Stainton-

* The bounder ſhould go from Sill-Howes to Scotgrainehowes: Forſter-Howes is undoubtedly an encroachment into Whitby Strand.

Stainton-Dale was given by King Richard I. to the hoſpital of St. John of Jeruſalem in England, and in a ſucceeding reign was annexed to the preceptory of the Holy Trinity at Beverley, which alſo belonged to the aforeſaid hoſpital. And thus it continued to be a part of the poſſeſſions of St. John of Jeruſalem, and was allowed by ſeveral royal charters to enjoy the ſame liberties and privileges with the town of Beverley, till the diſſolution of Monaſteries in England, when it was ſold, with all theſe liberties and privileges confirmed to it, by King Edward VI. anno 1553; and theſe the freeholders there either now enjoy, or are entitled to enjoy, unleſs where they are abridged by ſome particular acts of parliament made ſince that time.

The bounders of this manor are as follows, viz. beginning in Blawyke, at the place where a little rivulet or ſyke diſcharges itſelf into the ſea, near the bottom of the coal-way which leads up to the allum-works, and thence aſcending right up this rivulet to the north-eaſt end of Green-Dyke, and thence along Green-Dyke to the three Lords Stones, and thence down Pye-Rigg-Syke to Thorney-Beck, and thence ſouthward down Thorney-Beck to Haiburn-Beck, and thence eaſtward down Haiburn-Beck to the ſea, and ſo all along the ſea-coaſt to Blawyke.

But to proceed with our hiſtory.——In the year 1527, died Thomas York, Abbot of Whitby; and was ſucceeded by a Canon or Monk called John Topcliffe, alias John Hexham, who was born at Topcliffe, and afterwards reſided many years as a Canon in the Priory at Hexham; and was now finally elected Abbot of Whitby on the 13th of April, anno 1527.

During the time of this Abbot's reign we are told "that the Monaſtery of 137
Whitby took in and conſumed every month three celdr *(or chaldron)* of wheat, which, in thirteen weeks, amounted to thirty eight quarters; and every month twenty ſeven quarters of malt, which, in thirteen weeks, was four ſcore and one quarters, and in the whole year amounted to ſixteen ſcore and four quarters."

IN the year 1530, great differences aroſe between King Henry VIII. and Clement VII. then Pope of Rome, the ſaid King requeſting a diſpenſation from him to be divorced from his Queen Katharine, becauſe ſhe had formerly been the wife of his brother Arthur; and the Pope, terrified with the menaces of Charles V. then Emperor of Germany, refuſing to diſannul that marriage. Long his Holineſs wavered, and kept the King in ſuſpenſe, being unreſolved what courſe he ought to purſue; but the patience of Henry being at laſt exhauſted, who was determined to marry Ann Bullen, he would no longer be trifled with, or bear any further delay: Therefore having divorced Katharine, without the Pope's licence, he married the ſaid Ann Bullen, of whom he was greatly enamoured; and, to ſecure himſelf againſt the indignation of his Holineſs, convoked a parliament, anno 1534, by which the Papal Authority was intirely aboliſhed here in England, all appeals or applications to Rome were prohibited, the Clergy and Religious were henceforward to have no communication with the Papal See, and the King of England was declared to be ſupreme Head, under Chriſt, of the church eſtabliſhed here in Britain, from whom no appeal lay either to the Pope or any other foreign power whatſoever.

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This was an act of parliament highly agreeable to the temporal Lords, who had long been weary of the tyranny of the Pope and the exorbitant power of the Clergy; they readily concurred with the views of the King, and with much pleaſure aſſented to a law which was to diſſolve all union between his Holineſs and the vaſſals he had here in England. Nor were the Biſhops and ſpiritual Lords much averſe to theſe proceedings; they conſidered that by this change they ſhould loſe nothing; that they did indeed change maſters, but that their revenues would be no ways impaired thereby; therefore they willingly ſubmitted to the King, and took ſuch oaths as were required of them. But as for the Abbots, the Priors, the Monks, the Nuns, and the other inferior eccleſiaſtics, they murmured greatly, and ſeemed little ſatisfied with this change of maſters. Formerly, when oppreſſed or aggrieved, they had always been accuſtomed to appeal to Rome, where, for the ſake of lucre, a willing ear was ever lent to their complaints; but now they plainly perceived they were to have the King both for their ſecular and temporal Lord, and aſſerted there would be no longer a proper patron to protect and defend the rights of Holy Church, whoſe liberties and privileges they eſteemed it a ſort of prophanation to have diſcuſſed and determined before Lay Judges. Furthermore, the innovations and alterations that had been made by Luther and his followers had ſo much affected the minds of many, that when a reformation was once ſet on foot, it was impoſſible to foreſee how things would end, or to tell what the conſequences might be. However, there was no remedy for them but to ſubmit: Therefore, in hopes of a revolution in favour of the Pope, they reluctantly obeyed the King's orders for the preſent, waiting till ſome more proper opportunity might offer itſelf for the ſhewing their diſcontent.

Soon after paſſing the before-mentioned act of parliament, King Henry diſpatched proper perſons through every part of his realm to raſe out, or cancel, all bulls, orders, or decrees from the Popes of Rome that they could any where find remaining in the Monaſteries, or elſewhere; and accordingly every bull or order from the court of Rome, formerly preſerved in Whitby Abbey, appears at that time to have been croſſed out with red ink and defaced; but this is done in ſo ſlight a manner, that the contents are to this day legible, though by no means ſo fair as the other records belonging to the Abbey.

The King being ſenſible that the Monks were much diſaffected, and greatly averſe to his government, conſidered them as his implacable enemies, and about this time formed a deſign to root them out of his dominions. This was a thing ſo much the more eaſy for him to effect, as he had already got rid of the Pope, and ruled the Engliſh nation with a more tyrannic and deſpotic ſway than any other prince that had ever filled the throne; an inſtance of which had juſt happened in the extraordinary trial of Queen Ann Bullen, where, though no evidence appeared ſufficient to convict her by law of the crimes laid to her charge, yet was ſhe found guilty by her peers, and put to death; almoſt every Lord in the land dreading the King's indignation ſo much that he was glad to content him at any rate, however contrary it might be to the dictates of his own conſcience. Yet even the indignation of this King

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the Monks were not afraid to incur; they filled the nation with their murmurs, and endeavoured to ſow the ſeeds of rebellion throughout the land; till at laſt the King, rouſed like a lion from his den, ſhoured down vengeance on their devoted heads, and by degrees extirpated their whole race; their very irregular behaviour, and debauched lives, hindering the compaſſion or pity of the laity from being properly excited in their favour: Nay, many ſeemed to rejoice in their misfortunes, and greedily watched all opportunities to be enriched by the plunder and ſpoils of their falling Monaſteries.

The better to accompliſh his deſigns, King Henry, in October, 1535, ordered a general viſitation of all the Monaſteries in England to be made by Dr. Lee, and others, who were commiſſioned to inquire into the lives of the Friers and Nuns, and to ſee how they obſerved the rules of thoſe orders they ſeverally profeſſed. By this viſitation the King gained a great advantage over theſe his inveterate enemies; for ſuch enormities were diſcovered among them as are ſhocking to human nature, eſpecially with regard to the relics with which they impoſed on the ſuperſtition of the ignorant. As for fornication and adultery, they no longer conſidered them as criminal actions: The abandoned behaviour and diſſolute lives of both ſexes, in almoſt every Monaſtery throughout the nation, moſt horribly prophaned that religion, of which, by their vows, they had ſolemnly engaged to be the diſtinguiſhed patrons. In ſhort, the meaſure of their iniquities was now full, and it was highly neceſſary ſome ſtep ſhould be taken to put an end to their abominations.

Several Abbots and Priors, to avoid the King's diſpleaſure, reſigned their houſes, only ſtipulating for ſome ſmall penſions and annuities for life to themſelves and the communities over which they preſided. Moreover, all ſuch as were under twenty four years of age, were, by the King, as ſupreme Head of the church, abſolved from their vows, and had free leave given them to depart the houſe to which they belonged; every man who choſe to accept of his liberty, having a Prieſt's gown, and forty ſhillings in money, given him; and every woman, ſuch apparel as ſecular women wore, with leave to go where ſhe liked beſt.

But theſe regulations not producing the deſired effect, (very few chooſing to quit their habit, or to leave the Monaſteries where they had been accuſtomed to live in luxury and idleneſs) in February following the parliament of England, at the requeſt of King Henry, paſſed an act for ſuppreſſing all religious houſes throughout the nation, whoſe revenues were leſs than 200 l. a year; of which ſort of houſes there were then 376 in England, whoſe yearly income was 32,000 l. and the value of their moveables not leſs than 100,000 l. all of which was ſeized for the King's uſe; and the religious belonging to them, to the number of more than 10,000, were turned out of doors.

The Monks that were thus diſmiſſed raiſed a ferment almoſt throughout the whole nation; they loudly exclaimed againſt the King as an enemy to God and Religion, and every where endeavoured to ſtir up ſedition and rebellion againſt him; particularly in Lincolnſhire, a Monk called Dr. Mackarell, under the title of Captain Cobler, drew together an armed band, conſiſting of above 20,000 men, who, under a pretext of redreſſing grievances

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and defending the catholic faith, ſeemed to form deſigns of overturning the government. But the King marching down to the northwad againſt him with an armed force, the rebels were diſmayed, and offers of pardon being made to them, they diſperſed, every man returning to his own home in peace; only Captain Cobler, the Vicar of Louth, and thirteen more of the ringleaders, were apprehended and put to death.

Immediately after this, the Monks raiſed another rebellion in Yorkſhire, where, under the command of one Robert Aſke, they aſſembled a great hoſt to make war againſt the King. This inſurrection they ſtyled the holy Pilgrimage, and it ſeemed for ſome time after its beginning to portend fatal conſequences to Henry: But by the prudent behaviour of the Earl of Shrewſbury, the Duke of Norfolk, the Marquis of Exeter, and other commanders who were ſent down into the north to make head againſt them, it was happily quelled without much bloodſhed. A general pardon being offered to the inſurgents, they judged it moſt proper to lay down their arms and march to their own homes; only the Abbots of Walley and Saulley, and ſome few others, were apprehended and executed.

In the month of February, 1537, a new rebellion was begun at Kirkby-Stephen, in Weſtmoreland, by Nicholas Muſgrave, Thomas Tilby, and others, who, at the head of 8000 malecontents, endeavoured to take poſſeſſion of the city of Carliſle; but being repulſed, Tilby, and ſeventy four of his followers, were taken, and afterwards hanged on the walls of Carliſle.

At the ſame time Sir Francis Bigod, and one Halam, collected a conſiderable body of rebels in Scarbrough, Settrington, and Pickering-Lyth, with which they intended to have ſurprized and taken the town of Hull; but they failed in their enterprize, and about ſixty of them being apprehended, the ſaid Halam, and two of his train, were hanged in chains at Hull.

Moreover, about the latter end of this ſame year, the Lord Darcy; Robert Aſke; Sir Robert Conſtable; Sir John Bulmer, and his wife; Sir Thomas Percy, brother to the Earl of Northumberland; Sir Stephen Hamilton; Nicholas Tempeſt, Eſq; and William Lomley, ſon to the Lord Lomley, were apprehended for rebellious practices, and brought up as priſoners to the tower of London. Being afterwards arraigned, they were all found guilty of high treaſon, and put to death; as were alſo at the ſame time, William Thurſt, Abbot of Fountains; Adam Sudbury, Abbot of Joreval; William Wold, Prior of Bridlington; and the Abbot of Ryvers.

King Henry attributed all theſe inſurrections and commotions in the north of England to the Monks, who were not diſpoſed to own his ſupremacy, or to admit of any other Lord than the Pope of Rome. But in this he ſeems to have been partly miſtaken; for however rebellious and treaſonable their practices might be, it is certain, turning the Monks out of doors was far from being agreeable to the nation in general, ſince with the Monaſteries the old Engliſh hoſpitality that had always been practiſed there ceaſed of courſe, by which ſo many poor and indigent people were conſtantly relieved. Moreover, the method of travelling from place to place was rendered much leſs commodious and convenient than it had been formerly: As yet there were no

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public houſes or inns upon the road, where paſſengers might put in and refreſh themſelves, or (if it was late) ſpend the night in ſafety; every traveller in theſe times ſojourned from one Monaſtery to another till he came at his journey's end, and towards the evening of each day retired into any one of theſe he was then neareſt to, where he was ſure to meet with hoſpitable entertainment. If he was poor, nothing was required of him for the liberality he there received; in the morning he was diſmiſſed in peace to purſue his journey, with ſome good and pious admonitions, and a ſtock of proviſions to forward him to the next Monaſtery; for all which he paid nothing. On the contrary, if he was rich, at his departure he rewarded as he thought proper the religious in the houſe where he had lodged, for the trouble and expence they had been at, and proceeded on his journey with a freſh ſtock of proviſions, and the kind wiſhes, the prayers, and inſtructions of theſe hoſpitable fathers with whom he had paſt the night. All this was now at an end, travelling became unſafe, and it was many years before a proper remedy was found out for this evil: Nor have the lower claſs of people even to this day ſo good an opportunity by far as they had then of travelling into diſtant parts of the nation, where buſineſs ſometimes calls them; ſince it cannot be now done without incurring a great expence, and alſo running conſiderable hazards upon the road.

But, though Henry's malice, hatred, and revenge, againſt the Pope and his adherents, the Monks, were unbounded, yet they appear not to have been the only Incitements he had for deſtroying the Monaſteries. By the plunder and wealth he had already gained from the leſſer ones, he made an eſtimate of the riches he had to expect from the greater; ſo that he now burnt with a deſire to be in poſſeſſion of the whole. To effect this, he ordered again a ſtrict viſitation to be made of all ſuch religious houſes as were yet remaining, and after charging the Monks with unheard-of enormities, he uſed threats, and even violent meaſures, to obtain from them a reſignation of the ſeveral houſes they poſſeſſed. He ſeized for his own uſe all the ſhrines and remarkable images of ſuch Saints as had been canonized by the Popes of Rome, to which it was cuſtomary to make pilgrimages or ſpecial offerings; particularly thoſe of Thomas Becket, our Lady of Walſingham, of Ipſwich, of Worceſter, of Wilſden, and others. With theſe he likewiſe carried away, and converted to his own uſe, all the jewels, the plate, and the other valuables that were found there ſtored up and preſerved. He then ſuppreſſed the greater Monaſteries one after another, till not one was left in the nation.

At Whitby, finding the Abbot, John Hexham, little diſpoſed to humour his inclinations, or make a ſurrender, he alledged the Monks there had been concerned in the many treaſonable practices and rebellions, which, of late, were carried on againſt his perſon and government in Yorkſhire and the other counties in the north of England; for which reaſon he ordered all the revenues of their Monaſtery to be ſequeſtered, and ſeized into his hands. The Abbot endeavoured, but all in vain, to vindicate his own behaviour, and that of his Convent, from thoſe aſperſions which were thrown upon them;

the King continued inexorable, and lent a deaf ear to all their remonſtrances; on which Hexham, in the year 1538, reſigned his power into the hands of the chapter from whom he had received it, and once more became a private Monk in Whitby Abbey.

This was the very thing that Henry and his agents wiſhed for; and, in a few days after his reſignation, Henry de Vall, the Prior of Whitby, who was intirely diſpoſed to humour the court in every thing they could deſire, was elected Abbot in his ſtead: On which, application being made to the King, by the Prior of Gyſborowe, in behalf of this late-elected Abbot, he was pleaſed to order the reſtitution of the revenues and temporalities belonging to Whitby Abbey; but this was only to pave the way for a diſſolution of the Monaſtery; for Lord Thomas Cromwell, Dr. Lee, and others, did ſo practiſe with the Abbot, that, on the 14th day of December, 1540, he, and the Convent over which he did preſide, by a written deed, to which they ſeverally ſubſcribed their names, and affixed their chapter-ſeal, reſigned their Monaſtery into the King's hands; only covenanting for the having ſome ſmall penſions ſettled on them for life, or till they were otherwiſe provided for in the church.

Thus fell the Monks and their poſſeſſions a prey to the luſt, the avarice, and tyranny of King Henry VIII. whoſe will and deſires, however unjuſt or unreaſonable, never would admit of any controul, and who ſeems to have been raiſed up to be the ſcourge of heaven, to execute its vengeance on that diſſolute and diſorderly race of mortals, whom he utterly extirpated. Nothing is more certain than that they were a nuſance and burthen to the nation in general: But it was neither the glory of God, the good of the nation, or any deſign to promote religion and piety, that prompted Henry to ſuppreſs them, but ſolely his hatred of the Pope, his love of money, and his other domineering and headſtrong paſſions. He moſt aſſuredly acted without any regard to law, juſtice, or reaſon; for it never can be made appear that all the Monks were guilty of treaſon; and without proving that, the King ſeems to have had no better a title to their wealth and poſſeſſions, than a thief or a robber has to the purſes of ſuch travellers and paſſengers as he falls in with and attacks upon the highway. If the Monks were deemed unworthy to enjoy the poſſeſſions they then had, theſe ought to have reverted to the offspring and deſcendants of the pious donors from whoſe liberality they had firſt received them; and not King Henry VIII. but the Percy family of Northumberland, ſhould have had Whitby Strand, and a great part of the land elſewhere, belonging to our Abbey, reſtored to them by royal authority. But all this was regarded as a mere chimera by the King, and what he thus unjuſtly acquired, though at leaſt equal in value to a third part of his dominions, was ſtill found too little for the profuſion and extravagance of that tyrannical Monarch; his coffers were ſoon drained of this ill-gotten wealth, and in a few years he was once more reduced to a neceſſity of aſking new ſupplies from his oppreſſed ſubjects; ſo true is the old obſervation, That ill-gotten wealth ſeldom enriches its poſſeſſors.

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Yet, what ſeems moſt to be lamented, is the deſtruction that was then made among thoſe venerable piles and noble ſtructures that were the glory and ornament of our nation, and would ſtill have continued ſo if they had been left untouched by ſacrilegious hands. But, as if turning the Monks out of doors, and ſeizing their poſſeſſions, had been a ſmall crime, almoſt all the religious houſes they had ſo long inhabited were either thrown down and raſed, or elſe ſo much damaged as to be no longer fit for the ſervice of Almighty God. Among others, Whitby Abbey, after being plundered of the wood, the timber, and lead in its roof, as alſo of its bells, and every thing elſe belonging thereto that could be ſold, was left ſtanding with its ſtone walls, a mere ſkeleton of what it had formerly been, to crumble away by degrees into duſt, or to form a heap of rubbiſh which might barely ſhew paſſengers in future ages that there Whitby Abbey formerly ſtood.

It is true ſome part of this lead was laid upon the church of St. Mary, which was ſtill permitted to be the pariſh church of Whitby, and which ſeems till then to have had only a thatched roof; but that lead was only a ſmall part of the whole, and all the remainder was carried away and converted into money. As for the Abbey bells, which were very noble and antique, they were put on board a ſhip, in order to be ſent to London; but, if any credit is due to tradition, were not got above a mile out of Whitby harbour before both ſhip and bells went to the bottom of the ſea, on the outſide of our rock, where it is generally believed they yet remain.

The greateſt part of the glaſs in the Abbey windows was left untouched; but, by degrees, it either mouldered away with the weather, or elſe was taken down and carried off clandeſtinely, by ſuch as from time to time came to view the ruins. Several fragments of this glaſs remaining in the windows are yet remembered by our old inhabitants, though no veſtiges thereof are now to be ſeen. Theſe windows ſeem alſo to have been enriched with a conſiderable quantity of ſtained or painted glaſs. What was the fate of this is not certainly known, but it ſeems moſt probable to believe it was alſo carried away privately, as two panes thereof are yet remaining in the windows of a houſe belonging to Mr. Marmaduke Watſon of Whitby, which are probably five or ſix hundred years old, and ſeem both to refer to the Virgin Mary, though the inſcription, or motto, on the firſt is but badly adapted to the painting around which it is placed.

In plate 1. the two feet and two hands pierced through with nails, and the heart ſurrounded with a wreath of thorns, are expreſſive of our Saviour's crucifixion and ſuffering under his laſt agonies; but the roſes and the beads adjoining thereto, are peculiar to the Virgin Mary, and to the Ave Maries which the Monks daily uſed in her ſervice. Theſe, I apprehend, have produced the inſcription, or motto, ſtill very legible on the glaſs, whereof the reading is as follows: "Ave piiſſima Virgo Maria q. es rubens roſa et ſupr omnē creaturā indumēto divini amoris induta:" And this in Engliſh is, *Hail! moſt holy Virgin Mary, who art a red roſe, and clothed with the garment of divine love above every other creature.*

In plate 2. Joſeph is repreſented with a bundle of ſticks in his left arm, and a bucket or pail full of water in his right hand; while Mary is ſet weaving ſome particular kind of ſtuff in a loom; and the boy Jeſus is ſtanding by her, with a clew in his hand, to aſſiſt and forward her labour. He ſeems, when in that poſture, to have uttered to his mother the pathetic inſcription, or motto, placed round this painting, which comprehends the following words: "Genitrix ſanctiſſima multa ſolicitudine nutriviſti ſicut matr. piiſſima quæ de labore manuū tuarū." And here I apprehend there is a miſtake in placing the word quæ; for the reading ought certainly to have been "Genetrix ſanctiſſima, quæ multa ſolicitudine nutriviſti, ſicut matr. piiſſima, de labore manuū tuarū;" which may be thus engliſhed: *Moſt holy mother, who with much care hath brought me up, as the tendereſt of parents, by the labour of thy hands.*

It is not yet fifty years ſince there were ſome more remains of this painted glaſs belonging to the Abbey preſerved at Whitby; but theſe are now no more, nor is any thing left of them but a few imperfect fragments, which do not deſerve our notice here.

It was not before the year 1545 that the parliament of England granted King Henry VIII. a power to ſuppreſs what hoſpitals, chantries, and colleges he ſhould think proper; and, in purſuance of this act of parliament, hardly any chantries or hoſpitals were left remaining in the nation. As for the hoſpital at Whitby, it was too inſignificant to attract the royal notice; it had always been immediately dependent upon the Monaſtery, and in a great meaſure ſupported thereby; therefore when the Monaſtery was diſſolved, the hoſpital was ſhut up, the ſick and poor that were therein being turned out of doors, and the revenues thereof, like thoſe of the Abbey, ſequeſtered and ſeized on for the King's uſe.

At the diſſolution of our Monaſtery its yearly revenue or income was, according to Speed, 505 l. 9 s. 1 d. but, according to Dugdale, only 437 l. 2 s. the difference therefore, which is 68 l. 7 s. 1 d. muſt probably have been paid away in penſions or life-annuities.

But then it muſt be conſidered that the revenues, or yearly income of the Abbey, are here rated far below what their real value was; for not only the land pertaining to the Monaſtery was lett at an eaſy rent, on account of the repairs of the houſing, and other ſervices which the tenants were bound to perform, but large ſums were alſo paid on being admitted as tenants to any particular farms, ſeveral boon-days were to be obſerved; and on the death or demiſe of old tenants, conſiderable fines were frequently levied for non-performance of ſuch articles as were contained in their leaſes.

Yet we are not to ſuppoſe that the crown, on the diſſolution of the Monaſtery, immediately entered into poſſeſſion of all this yearly revenue of 437 l. 2 s. for when the Monks were turned out of doors, many of them being aged, and all of them unaccuſtomed to earn their bread by bodily labour, it became abſolutely neceſſary to make ſome proviſion for them, by

by allowing them particular penſions for their ſupport, till they died, or were decently provided for in the church; ſo that the ſum which was yearly paid into the augmentation office was at firſt very inconſiderable, but increaſed yearly as theſe annuitants became leſs numerous; though the Abbey lands do not ſeem to have become a clear eſtate, free from all theſe incumbrances, in a leſs time than thirty years after the death of King Henry VIII.

The foundation of the Monaſtery, and all the offices belonging thereto, were on the ſouth ſide of the Abbey, where the ground declines gently towards the ſouth. And it is well known, that a warm ſituation, and being ſheltered from the inclemency of the weather, eſpecially the northerly winds, were articles ever much attended to in the building of religious houſes.

Its lonely ſituation was undoubtedly the principal reaſon of its being firſt conſidered as a proper place for a Monaſtery; the ſea ſurrounding it to the eaſt, north-eaſt, and north-weſt, and a large tract of rugged and wild moor to the weſt and ſouth; ſo that a more eligible place could no where in England be found by ſuch as really intended to retreat from the world, and to ſhun the converſation and company of mankind.

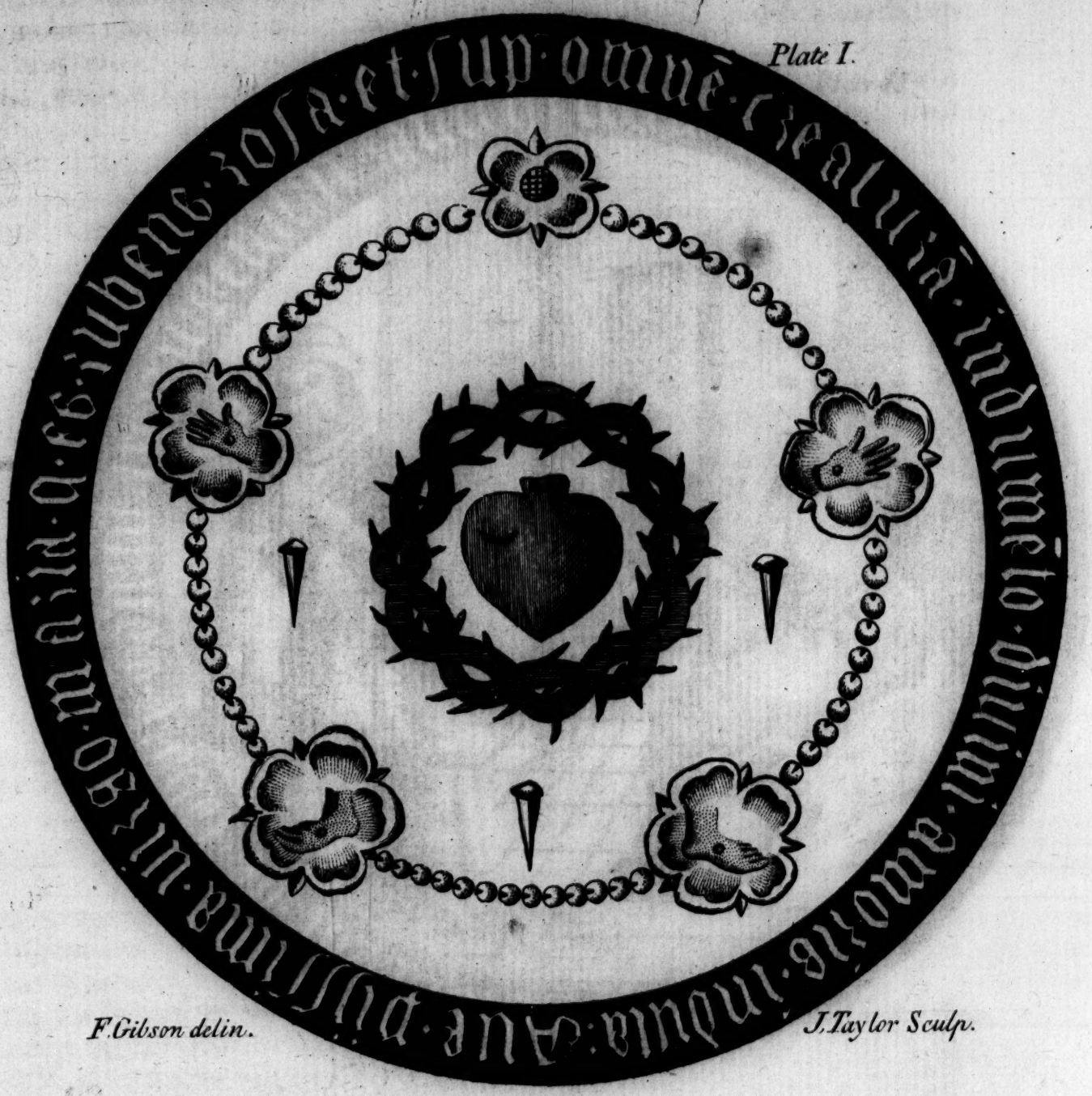
Though the Monaſtery of Whitby, both at the time of its firſt and ſecond foundation, ſeems to have been deſigned for forty Monks or Nuns, and though it really contained that number in early ages, yet in the latter times thereof it always fell conſiderably ſhort of ſuch a number. In the year 1392, we find the whole Chapter conſiſted only of twenty Monks; and it is my opinion that in later ages they even frequently fell ſhort of this number, ſo far had they deviated from their original inſtitution. In the firſt or earlieſt ages, men retired into Monaſteries to ſerve God, and lead a religious life, regardleſs of this world, and the pomps and vanities it contains. If they had only food and raiment, they were therewith content: Nay, they would frequently ſubmit to great auſterities, and mortify themſelves by long faſtings, abſtinence, and prayer, in order to ſubdue the fleſh, and conquer the irregular deſires thereof: But in later ages little of this was practiſed; the inhabitants of the religious houſes gave themſelves up to all kinds of luxury, and what had been deemed ſufficient for the maintenance and ſupport of three Monks in early ages, would now hardly ſuſtain one: They eat and drank like ſons of Epicurus, and many of them indulged their carnal deſires as men who looked upon all that was ſaid about a future ſtate as a mere chimera or dream, which it was not their buſineſs to pay any attention to. What wonder is it then if we find their whole number at Whitby, in the year 1540, reduced to eighteen or nineteen Monks; at Hackneſs, to three or four; at Middleburgh, to two or three; at Godeland, to two or three; and at Fiſhergate in York, to two or three alſo; without any body whatever reſiding in any of their hermitages.

Not only all theſe cells, but alſo every church belonging to the Monaſtery of Whitby, was now ſequeſtered, and for ever ſeparated from it. Nay, even

even the pariſh of Whitby itſelf was contracted and reduced within its antient limits; the chapelry of Fyling-dales, which always from its foundation had been dependent on Whitby, being now made into a ſeparate pariſh, and the two chapels of Haukeſgarth and Dunſley being ſhut up, in order to ſave expences, ſo that no ſervice was any longer performed in either; on which account they ſoon after went to decay, and hardly any veſtiges of them now remain. All that was left as ſubordinate to the church of St. Mary, and the Miniſter of Whitby, was the three chapels of Aiſlaby, Eſkedale, and Ugglebardeby.

THE END OF THE SECOND BOOK.

Plate I.



F. Gibson delin. J. Taylor Sculp.

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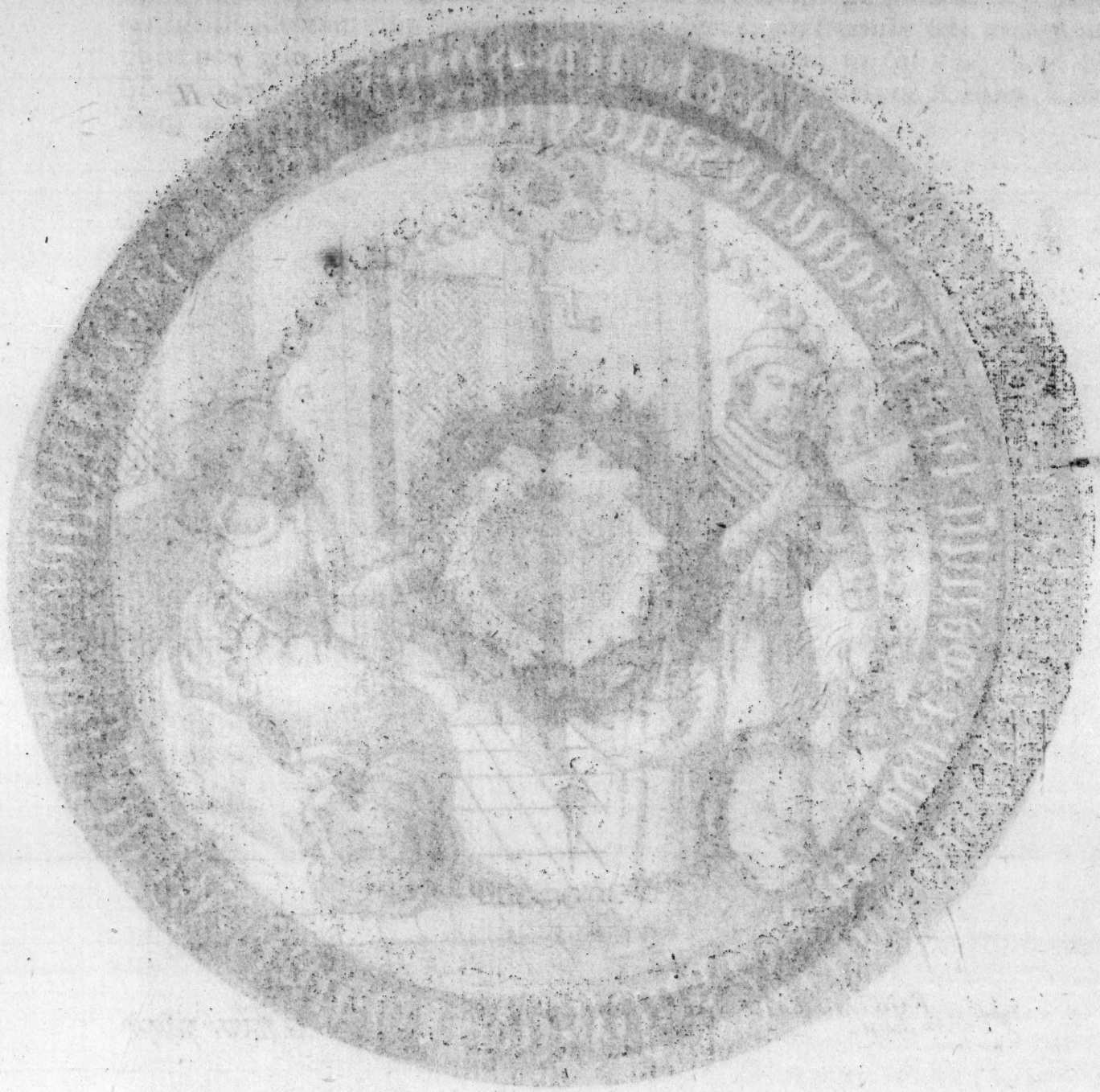
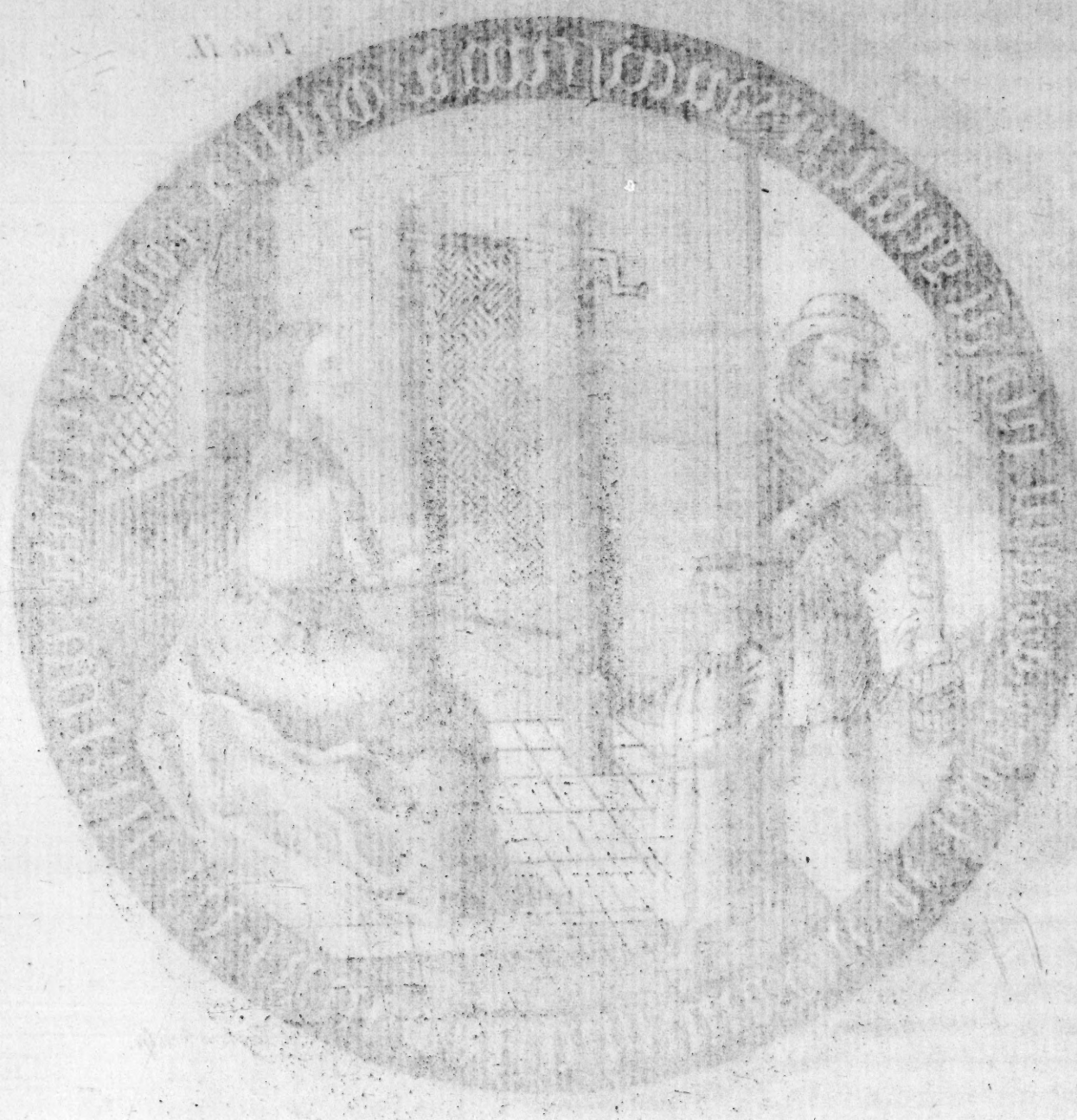


Plate II.

F Gibson delin. *J. Taylor Sculp.*



HISTORY
OF
WHITBY.

BOOK III.

Containing the Hiſtory of Whitby, from the diſſolution of the Monaſtery to the end of the year 1776.

WHEN the Monaſtery of Whitby was diſſolved, the town was divided into three parts; all of which, taken together, contained but a very inconſiderable number of inhabitants. One of theſe parts, conſiſting only of about ten or twelve houſes, ſtood above the hill, on or near that plat of ground where Streanſhalh had formerly been, in the days of St. Hilda and the Northumbrian Kings. Theſe houſes were inhabited by the menial ſervants and other dependents of the Abbot, who aſſiſted in tilling ſuch land in the neighbourhood of the Monaſtery as was not lett out to tenants: And fiſh being in thoſe times of Popery an article of very great conſequence, ſome of them probably were alſo employed in providing that uſeful commodity for the Monaſtery, though it is certain moſt of the fiſhermen at Whitby, even in thoſe days, for the convenience of fiſhing, had their habitations below the hill.

Another part of Whitby ſtood below the hill, on the eaſt ſide of the Eſke, where ten or twelve more ſtraggling houſes, placed in an irregular manner, at a conſiderable diſtance from each other, formed a ſorry ſtreet, then called Kirkgate, but now commonly known by the name of Church-ſtreet, beginning at the lower end of the Green-lane, and terminating at the bottom of the Church-ſtairs. Beyond that ſtreet, to the northward, was a place called Haglathe, from a lathe, barn, or ſtore-houſe, which had been built there as a repoſitory for ſuch neceſſaries as were wanted in the winter ſeaſon of the year by thoſe inhabitants who had their reſidence below the hill; that place having long before the building of this lathe been known by the name of the

Hag,

Hag, on account of its low ſituation, whereby it is ſhaded from the ſun for at leaſt one half of the day. The whole of Kirkgate was divided into tofts and crofts, and inhabited by a few fiſhermen, mechanics, artizans, and perhaps a ſhopkeeper or two. It certainly was then but very poorly defended from the violence of the ſea in ſtormy weather; for though ſome ſtaithing was erected here and there to guard againſt an inundation, yet in no place within the harbour of Whitby, where this ſtaithing has been diſcovered in theſe our days, does it appear to have been ſufficient to withſtand the raging of the waves for any number of years, more eſpecially as the harbour was then but meanly provided with piers, and had hardly any other defence than what nature herſelf had formed: And this I apprehend was the principal reaſon for making the Horngarth at ſo great a diſtance up the Eſke as the place is where our factory now ſtands, there being then no place nearer the mouth of our harbour where boats could come aſhore ſooner in bad weather, or where they could be laid up in ſafety.

The third part of Whitby was ſituate on the weſt ſide of our harbour, and conſiſted alſo of ten or twelve cottages or houſes, which formed two ſtreets, if they can be thought properly deſerving the name of ſtreets; one of which, called Flower-Gate, (wherein was a houſe of correction) ſeems to have taken that name from the flowers which grew in the fields adjoining thereto; and the other, called Hackleſougate, or Hackerſgate, probably had that denomination from the unevenneſs of the ground on which it ſtood, as being among craggs and rocks almoſt inacceſſible. On the north ſide of Flower-Gate a dirty lane, called Wind-Lane, ran northward towards the cliff, which ſeems to have taken that denomination from its lying ſo much expoſed to the heavy blaſts of the northerly winds: But this lane, in our days, is now more commonly known by the name of Cliff-Lane. On the ſouth ſide of Flower-Gate another lane, called Scate-Lane, extended itſelf ſouthwards into Back-Dale, which ſeems to have been ſo called on account of the fiſhermen drying their ſcate fiſh in its neighbourhood. As for Baxtergate, it had no exiſtence at the diſſolution of our Monaſtery; it then formed a part of *the bell*, and was actually overflowed by the ſea twice every day at the time of high-water; nor was any building attempted to be made there till near fifty years after this, when ſome part of it being gained from the ſea, and ſtaithed off, it took the denomination of Baxtergate from a bakehouſe which ſtood nearly about the place where that houſing is, which, at preſent, belongs to Mr. Joſeph Gibſon. This ſide of the harbour, in the ſame manner as the eaſtern ſide, was peopled with fiſhermen, artizans, mechanics, merchants, and perhaps two or three farmers.

Such was Whitby, in the year 1540; the whole town, conſiſting of thirty or forty houſes, contained in it not more than 180 or 200 inhabitants. A communication was kept up between the two different ſides of the harbour, partly by boats, and partly by means of a wooden bridge which ran acroſs the river Eſke at the place now called Stone-Quay. This bridge began at the bottom of that highway, or road, which lay on the ſouth ſide of the hoſpital, and ran right over the river into Water-Stead-Lane, being, it ſeems, only

only intended for foot paſſengers, while horſemen and carriages were left to ford the river when and where they could, and in the manner they thought moſt proper. Shipping was an article in theſe days little or not at all uſed at Whitby, and I am pretty poſitive there had never been at one time more than two or three trading veſſels belonging to the town. Few coals were then uſed among us as fuel; but, inſtead thereof, either rotten wood, or elſe peats and turves, procured in the ſummer ſeaſon of the year from the neighbouring moors, to which kind of fires, not only the country people all around Whitby, but alſo the Abbot, Monks, and other inhabitants of that place, had, for many ages, been habituated.

The whole revenues of the town of Whitby, in rents, tolls, and ſervices, immediately after the diſſolution of the Monaſtery, amounted only to the ſum of 33 l. 17 s. 10 d. per annum, which was very conſiderably leſs than what they had been 200 years before that time. The manor of Whitby was, at this diſſolution, valued at 49 l. 19 s. 8 d. per annum; the manor of Whitby Laths at 43 l. 19 s. per annum; and the manor of Larepoole, with twenty eight perches of land, called Sickle-Boones, belonging thereto in Sneton, had been lett by the Abbot and Convent of Whitby, anno 1533, to John Kildale and his wife Jane, by leaſe for 41 years, for the yearly ſum of 5 l. 16 s. 2 d.

When theſe lands, and the other revenues belonging to Whitby Abbey, were firſt ſequeſtered by King Henry VIII. we are informed, by Mr. Edward Nalynghurſt, who was deputy to Hugh Fuller, Eſq; the ſaid King's auditor, "that it was judged verye neceſſarye that all the woods within the pariſhe of Whitbye, or elce where nere thereunto, ſhould be reſervyde for the mayntenaunce of the Kyng's tenements and cotages in Whitbye and at Robynhoode Baye, and of the Peyr agaynſt the See at Whitbye, where the Kyng's Majeſtie hath alredye imployede greate ſomes of money. Item, theſe premyſſes ben only XI miles diſtaunce from the Kyng's grace's caſtell of Scarburgh; and there be none of his grace's houſes, foreſts, parkes, and chaces reſervyde for thacceſſe and repare of his highneſſe nere thereunto, other then the foreſt of Blackamore, which is IIII myles diſtaunce; the partyclers whereof have ben delyverede unto my Lord Evers, and alſo to Sir Arthure * * *."

From hence it appears, that ſo early as the year 1541 there were piers built of wood here at Whitby, for the convenience of ſuch ſhips as came into or went out of the harbour. Nor is it probable that theſe piers were then firſt begun by King Henry VIII. ſince we find that ſeveral ſhips put in at this port many ages before his reign; which they would not have ventured to do if it had been altogether without piers, or proper convenience for mooring. Yet nothing is more certain than that theſe piers, being made of oak timber framed, with only a few looſe ſtones put into this framing, were almoſt always in a ſhattered and ruinous condition, nor could ever long reſiſt the violence of the ſea; ſo that we find, many years after this, even in the reigns of Queen Elizabeth and King James I. they were of little or no ſervice to the harbour. Nor was ever any thing of this kind regularly built, or properly executed, at Whitby, before the days of Sir Hugh Cholmley the elder, who

firſt put the inhabitants of Whitby into a method of building ſtaiths and piers, and of properly ſecuring their houſes and ſhipping againſt the violence of the ſea, as will better appear in the ſequel of this hiſtory.

As for the Abbey lands ſituate at or near Whitby, in about three months after the ſurrender made by the laſt Abbot Henry de Vall, they were, by a leaſe for twenty one years, lett by King Henry VIII. to Richard Cholmley, Eſq; of Kingthorp, or Kinthorp, a village in the county of York, ſituate about three miles to the northward of Pickering, which was then the property of the above-mentioned gentleman.

As the Cholmley family, in the remaining part of this hiſtory, are to be the repreſentatives of the Abbot of Whitby, it will be neceſſary here to give ſome account of their original, which is indiſputably from the Cholmondeley family in Cheſhire, who are at leaſt as old as the Conqueſt; nay, ſome have aſſerted them to be of Saxon deſcent prior to that time, while others affirm that the firſt of the name came into England with William Duke of Normandy.

However that be, it is pretty certain that, in the reign of Edward III. Hugh Cholmondeley, of the Cheſhire family, married Katharine, a daughter of William Spurſtow, by whom he had iſſue two ſons and one daughter.

Richard, the eldeſt ſon, married a wife called Matilda, by whom he left iſſue, one ſon called alſo Richard. Richard the father died 35th Edward III. and not many years after Richard the ſon died alſo, without iſſue; on which William the ſecond ſon of Hugh became heir to his nephew.

This William married for his firſt wife a daughter of ——— Chorley, by whom he had iſſue, one ſon called William, and one daughter, and from this ſon the preſent family of Cholmondeley is deſcended. William married for his ſecond wife a daughter of ——— Manwaring, by whom he alſo had iſſue, one ſon called Robert, and one daughter.

This Robert, from whom the Cholmleys in Yorkſhire are deſcended, married a daughter of Robert Needham of Shavington, by whom he had iſſue, one ſon called William, who married a daughter of Sir Edward Laem, Knight, and left iſſue, one ſon called John.

This John Cholmondeley, the ſon of William, was ſurnamed of Golſton, from his marrying the daughter and coheir of Thomas Elton of Golſton, in the county of York, by whom he had iſſue, two ſons called Richard and Roger, who were the firſt by whom the family name was contracted.

Richard Cholmley, the eldeſt ſon of John, was, in the reign of King Henry VII. appointed Lieutenant Governor of Berwick, and afterwards Governor of Hull. He married Elizabeth the daughter of ——— Nevill, Eſq; of Thornton-Bridge, (which probably was the reaſon of his firſt having lands in that part of Yorkſhire) by whom he had no iſſue. In the year 1513, he, and his brother Roger, commanded the garriſon of Hull, the King's tenants at Hatfield, and others, under the Earl of Surrey, in that ever memorable battle of Floddon Field, or Bramſton-Moor, where they were ſtationed in the fore-ward of the right wing of the army, and behaved themſelves ſo valiantly, that

that they greatly contributed to the victory which was at that time gained over the Scots, King James IV. of Scotland being there ſlain, and his whole army defeated, with the loſs of 12,000 men. They were both knighted by the Earl of Surrey for their ſervices in this battle, and afterwards received the thanks of their Sovereign, one of the brothers being appointed Lieutenant Governor of the Tower of London; to which truſt, it is aſſerted by ſome, the other brother alſo ſucceeded.

Sir Richard had a natural ſon called Roger, who was bred to the law, and who in the year 1523 was appointed Lent Reader in Lincoln's Inn; in the year 1528 he was choſen Double Reader, and in the year 1531 Treble Reader, as alſo a Serjeant at Law: About the year 1540 he was knighted, and alſo made Recorder of the city of London: In the year 1544 he was made King's Serjeant, and in the year following Lord Chief Baron of the Exchequer: Laſtly, on the 21ſt of March, 1552, he was appointed Lord Chief Juſtice of England.

Sir Richard Cholmley at his death did by will, bearing date December 26, 1521, bequeath his manors of Thornton upon the Hill, Weighton, Haſſel, and Forcett, in the county of York, and Blynedgoe, in the county of Cumberland, to Elizabeth his wife, for life; and, after her deceaſe, to his brother Sir Roger Cholmley, and his heirs male; and, in default thereof, to Sir Richard Cholmondeley, in the county of Cheſter. Alſo, he bequeathed all his other lands in England, Calais, or Berwick, to his ſaid brother Roger, excepting lands and tenements to the yearly value of 20 l. which he gave to his natural ſon Roger Cholmley, and the heirs male of his body; and, in default thereof, theſe were likewiſe to deſcend to his aforeſaid brother Roger, and his heirs male.

Sir Roger Cholmley, ſoon after his brother's death, came with his family to reſide in Yorkſhire, at Kinthorp. About the year 1512 he married Katharine the daughter of Sir Marmaduke Conſtable of Flamborough, by whom he had iſſue five ſons, Marmaduke, Richard, Roger, John, and Hugh; as alſo three daughters, one of whom died young; another, called Ann, was married to the Earl of Weſtmoreland, and the third was married to the ſon and heir of Sir William Gaſcoigne of Sedburgh, near Richmond, a family of great note in thoſe days. Sir Roger conſiderably improved the family eſtate, having purchaſed Roxby near Thornton, where he built a fine ſeat, and where he and his poſterity lived for ſeveral ages after this; but that houſe is long ſince gone to ruin, ſo that hardly any veſtiges thereof now remain. As for his ſons, Marmaduke died before his father; and in the year 1539, Roger, a brave gallant young man, was wickedly and maliciouſly ſlain on the ſouth ſide of St. Paul's church-yard, for which crime John Jones, John Potter, and William Manwaring, three of Prince Edward's livery-men, were hanged on the Aſh-Wedneſday following.

On the death of Sir Roger Cholmley, he was ſucceeded by his then eldeſt ſon Richard, who, in the year 1541, as we before obſerved, purchaſed a leaſe for twenty one years of the Abbey lands in the neighbourhood of Whit-

by. As this leaſe is not only curious, but alſo intereſting to the freeholders in and about Whitby, I ſhall here beg leave to inſert an exact Engliſh tranſlation thereof.

"THIS INDENTURE, made between the moſt excellent Prince and Lord, Lord Henry VIII. by the grace of God, King of England and France, of the one part, and Richard Cholmeley of Kynthorpe, in Pykerynglyth, in the county of York, Eſq; of the other part, WITNESSETH, That our ſaid Lord the King, by the advice of his council of the Court of Augmentations of the reventions of his crown, hath demiſed, granted, and to farm lett, unto the ſaid Richard Cholmeley, the houſe and ſite of the late Monaſtery of Whitby, in the ſaid county of York, now diſſolved, TOGETHER with all and every the houſes, buildings, granaries, ſtables, dovecotes, garths, orchards, gardens, and tracts of land contained within the ſite and precincts of the ſaid late Monaſtery. AS ALSO one cloſe of land called the [1] Fermery Garth, containing by eſtimation five acres: One cloſe of meadow ground, called [2] Pedlynton Fields, containing by eſtimation thirty acres: One cloſe of arable land, called [3] Wynd Mylne Flats, containing by eſtimation twenty acres: One cloſe of arable land, called [4] Lathe Cloſe, containing by eſtimation thirty acres: One cloſe of paſture ground, called [5] Saltwyke, containing by eſtimation ſixteen acres: One cloſe of paſture ground, called [6] Carriage Cloſe, containing by eſtimation ſix acres: One cloſe of paſture ground, called [7] Condyth Hedd, containing by eſtimation twenty four acres:

[1] This is the court-yard, ſtable-yard, gardens, &c. that lie contiguous to the Abbot's houſe or hall, in which N. Cholmley, Eſq; now lives. Its real content is about eight acres.

[2] Pedlynton Fields are all that land now belonging to N. Cholmley, Eſq; lying between the Green Lane and the Abbey, whoſe real content is about fifty acres.

[3] Wynd Mylne Flatts is all the land (Garden Cloſe excepted) lying between Green Lane, Spital Beck, and the eaſtern ſide of New Gardens, being now the property of Mr. John Mathews, Mr. Abel Chapman, and Mr. William Frank. It contains near ſixty acres; but at that time I am pretty poſitive not leſs than twenty five acres thereof were banks covered with rubbiſh, which conſequently are not included in the above eſtimation, being of little or no value.

[4] Lathe Cloſe conſiſts of the three barn fields now belonging to Mr. T. Linſkill, and the long narrow field adjoining them, called Potter Nook, (probably from ſome pots or earthen ware having formerly been made there) belonging to J. Yeoman, Eſq; which four fields all together contain near fifty acres.

[5] Saltwick farm, lying on the weſt ſide of the carriage way to Saltwick, does not now contain more than ſeventeen acres; but then if we add thereto five or ſix acres, which have been wrought away in the allum-works, it will appear that its whole content, at the diſſolution of our Monaſtery, was near twenty three acres.

[6] The Carriage Cloſe is now a part of the Knolles, on the eaſt ſide of which it is ſituate, and was then divided therefrom by an old hedge, the traces of which over the top of the hill are ſtill viſible. It took the name of the Carriage Cloſe on account of a carriage way on the eaſt ſide thereof to the ſalt-works at Saltwick. It contains about ten acres.

[7] Conduit Head Cloſe took that name from a drain or conduit made therein, by which the water was conveyed away from that noted ſpring near Mally Smith's houſe. It contains about forty acres of land, and is now the property of N. Cholmley, Eſq; and the aforeſaid Mally Smith. The water in this conduit probably then ran down on the eaſt ſide of the carriage way to Saltwick.

acres: One close of pasture ground, called [8] Oldestede, containing by estimation thirty acres: One close of arable land, called [9] Murgate-Leez, containing by estimation sixteen acres: One close of pasture ground, called [10] Stompe Close, containing by estimation twenty acres: One close of pasture ground, called [11] High Felde, containing by estimation two hundred acres: And four closes of meadow land, called [12] Baldeby Closes, containing by estimation eighty acres, lying near Staxby, in the said county of York. All and every of which premises are situate and lie at Whitby, in the county aforesaid, and heretofore belonged and appertained to the said late Monastery. ALSO our said Lord the King, by the advice of his council aforesaid, hath demised, and to farm lett, unto the said Richard Cholmley, the manor of [13] Staxby, with its appurtenances, in the said county of York, heretofore belonging and appertaining to the said late Monastery: And also one tenement, with a close of land pertaining thereto, called [14] Stowpe-Close, in the tenure of William Lockwood, situate, lying, and being at Stowpebrow, in the said county, and heretofore belonging and appertaining to the said late Monastery: And one close of land, in the tenure of William Cockeryll and Richard Redman, at [15] Stowpebrow aforesaid, formerly belonging and appertaining to the said

[8] The Old Stead still retains its antient name, and lies on the south side of the farther allumworks. It reaches to a hedge on the west side of a new farm house lately erected at High Whitby by N. Cholmley, Esq. The limits between this and Conduit Head Close are now not easily determinable; but nothing is more certain than that the whole of both these closes (Mally Smith's little farm excepted) now belongs to Mr. Cholmley.

[9] Moorgate Lees lie on the south side of the lane immediately beyond the New Gardens, and are at present the property of Mr. Richard Moorsome. They contain twenty seven or twenty eight acres.

[10] Stompe Close still retains its antient name: It is situate on the west side of the Knolles, and in those days comprehended all the land lying between that field, the Lathe Close, and the lane or high road leading from Whitby to Robin Hood's Bay.

[11] This High Field contained all the land that lay without the before-mentioned inclosures, as far as the Long Syke and the bounders of Stainsacre. Whitby-Lathes stood near the middle of it, and thither all the produce thereof was brought together, and laid up; only some small pittance was reserved for cote-houses, where their sheep, and perhaps some young cattle, resorted in the winter season of the year. On the north-west side of this field, adjoining to the Moorgate Lees, was a gate, from whence a way ran directly for the moor through the manor of Stainsacre, which also lay all undivided in one common field. A little way above this gate, a houe that stood on the top of the hill, gave the name of High-Gate-Houe to a tenement that was afterwards built there.

[12] The four Baldoby Closes contained all that ground lying on the south side of Water-Stead-Lane and the present turnpike, as far as the confines of Ruswarp, the banky part of which being then covered with wood and rubbish, is not included in the above estimation, as being of little or no value. As for the Fitz, it was then generally overflowed by the tide at the time of high-water, and therefore, like the banks, was thought to be of little or no value.

[13] The manor of Stakesby lay also in the times of our Monastery all undivided in one great field; and the corn and hay produced thereon was generally brought to the Abbot's Grange at Stakesby, where it was laid up to be used in the winter season of the year, or to be disposed of otherwise as the Abbot thought proper.

[14] and [15] It is difficult for us now to determine the situation of these two tenements: To me it seems most probable that they were the two farms lying nearest to the bottom of the Brow, and adjoining to the present high road there.

ſaid late Monaſtery. ALSO one ſmall tenement, with the meadows, paſtures, and paſturages belonging thereto, called [16] Spryng-Hill and Wragby, in the tenure of Richard Aſkwith and William Aſkwith, ſituate, lying, and being at Wragby, in the ſaid county of York, heretofore belonging and appertaining to the ſaid late Monaſtery. AND ALSO [17] one cloſe of land, containing by eſtimation five acres, lying near Moregate-Liez, in the tenure of George Buſſhell of Whitby aforeſaid: As alſo three other cloſes of land in the tenure of the ſaid George, one of which, called [18] the Knolle, contains by eſtimation four acres; another, called [19] the Horſe Cloſe, contains by eſtimation five acres; and the third, called [20] Wharell Cloſe, contains by eſtimation ſix acres; all of them ſituate, lying, and being at Whytby: And alſo one wind-miln upon a mount near the ſaid late Monaſtery at Whytby aforeſaid, in the tenure of the ſaid George Buſshell: And alſo [21] one cloſe of land, in the tenure of Thomas Newton, lying near Saltwyke, containing by eſtimation four acres: All and every of which premiſes in Whytby aforeſaid heretofore belonged and appertained to the ſaid late Monaſtery. AND ALSO one water-corn-miln, with its appurtenances, called Ryſwarpe-Mille, in Ryſwarpe, now in the tenure of John Pereſon: As alſo one cloſe of land, called [22] the Intake, lying on Eſkedale-Side, in the pariſh of Whytby, in the aforeſaid county of York, now in the tenure of William Cockerell and William Pereſon, formerly belonging and appertaining to the ſaid late Monaſtery. TOGETHER with all and every the rights, appurtenances, commodities, advantages, and emoluments whatſoever, heretofore in any manner belonging or appertaining to the aforeſaid premiſes, or to any part or parcel thereof. NEVERTHELESS, always excepting and reſerving to our ſaid Lord the King, his heirs and ſucceſſors, all the great trees and wood growing or being on or upon the premiſes; as alſo all and every the houſes and buildings, within the ſite and precincts of the ſaid late Monaſtery, which our ſaid Lord the King hath given orders to be raſed or taken away. TO HAVE AND TO HOLD the ſite of the ſaid late Monaſtery, and the aforeſaid lands, tenements, milns, and all and every other the premiſes, with their appurtenances,

[16] Theſe are on the edge of the moor, not far from Thorney Brow, or Thornelay, as it is called in our records.

[17] This is moſt aſſuredly Mr. Yeoman's Garden Cloſe, which lay very convenient for the miller, and ſeems always to have been ſeparated from the Flatts, its real content being between nine and ten acres.

[18] The Knolle ſtill retains its antient name, is now alſo the property of Mr. Yeoman, and (excluſive of the Carriage Cloſe) contains about ten acres.

[19] The Horſe Cloſe likewiſe ſtill retains its old name, lies on the north ſide of the Knolles, belongs to Richard Elliſon, Eſq; and contains about eight acres and a half.

[20] The Wharell Cloſe lies on the north ſide of the Horſe Cloſe, and contains thirteen acres, being alſo the property of Mr. Elliſon.

[21] Now called Saltwick Cloſe, lying on the ſouth ſide of Saltwick houſe, and containing five acres and a quarter, being likewiſe the property of Richard Elliſon, Eſq.

[22] This Intake, I apprehend, is the old incloſure on the eaſt ſide of Mr. Yeoman's allum-works, lying on the ſouth ſide of the lane, near the houſe of Mr. Noble Dale.

nances, (except what is before excepted) by the aforeſaid Richard Cholmeley and his aſſigns, from the feaſt of St. Michael the archangel laſt paſt, to the end of a term of 21 years thence next following, and fully to be compleat and ended. YIELDING AND PAYING for the ſame yearly to our ſaid Lord the King, his heirs and ſucceſſors, the ſum of forty nine pounds and eight pence of lawful money of England, at his court aforeſaid, in two equal portions, during the ſaid term, viz. one half thereof at the feaſt of the annunciation of the bleſſed Virgin Mary, and the other half at the feaſt of St. Michael the archangel, or within a month after either of theſe feaſts. And our ſaid Lord the King, by theſe preſents willeth and granteth, That he, his heirs and ſucceſſors, during all the aforeſaid term, will, from time to time, and at all times, exonerate, acquit, diſcharge, and defend the ſaid Richard Cholmley and his aſſigns, againſt all perſons whatſoever, from all rents, revenues, fees, and donations iſſuing out of, or to be paid by, the premiſes aforeſaid, except the rent or revenue reſerved above by theſe preſents; and alſo will ſuſtain, maintain, and keep in good and ſufficient repair, from time to time, and at all times when it ſhall be found needful and neceſſary, the main timber of all thoſe houſes and buildings belonging to the premiſes, during the whole term aforeſaid. AND the aforeſaid Richard Cholmley covenanteth by theſe preſents, That he, and his aſſigns, will, from time to time, and at all times, ſupport and ſuſtain all ſuch neceſſary repairs as may be any where required upon the premiſes during the aforeſaid term, main timber only excepted. ALSO our ſaid Lord the King willeth, That it ſhall and may be lawful for the ſaid Richard Cholmley, and his aſſigns, from time to time, to take, receive, and have, of, in, and upon the premiſes, under the inſpection and appointment of ſuch ſuperviſors, and other officers of our ſaid Lord the King, as ſhall be there appointed, competent and ſufficient [23] hedgebote, firebote, ploughbote, and cartbote, there, and not elſewhere, to be yearly expended and uſed during the ſaid term. IN WITNESS whereof, to one part, &c. and to the other part, &c. Dated at Weſtminſter, on the firſt day of March, in the 31ſt year of our ſaid Lord the King.

" By the Counſel of the Court aforeſaid."

I ſhall not here ſpend much time in making more remarks on this leaſe; only I muſt beg leave to obſerve, that, at the diſſolution of our Monaſtery, no land mentioned therein, lying in the neighbourhood of Whitby, ſeems to have been lett out to tenants, except theſe four cloſes, called the Garden Cloſe, the Knolle, the Horſe Cloſe, and the Wharell Cloſe, which were then poſſeſſed by George Buſhell the miller, and Saltwick Cloſe, which was then alſo poſſeſſed by Thomas Newton. As for the contents, it is eaſy for any one to ſee that every acre by eſtimation contains on a medium about one and a half or one and two thirds of an acre by meaſurement: Thus, for example, when a field is ſaid in this leaſe to contain ſix acres by eſtimation, we ought to expect,

[23] Wood for making hedges, fires, ploughs, and carts.

expect, when meaſured, it will have in it nine or ten acres. And, with regard to the names and ſituation of the ſeveral fields and cloſes before-mentioned, I am perfectly well ſatisfied they are juſtly and properly ſtated; nor do I believe (without vanity be it ſpoken) it is poſſible for any one whatever to be a better judge in this affair than myſelf.

While the Monaſtery ſubſiſted, the mart for fiſh, as well as for all other ſort of commodities, was conſtantly held at the old croſs above the hill; but no ſooner was the fraternity of Monks diſſolved, than the reſort there became leſs frequent; and it being found inconvenient to hold the market at ſuch a diſtance from the river, and from the reſidence of the principal inhabitants of Whitby, a place was pitched upon for that purpoſe, with the conſent of Mr. Cholmley, on the weſt ſide of the river Eſke, which now is known by the name of the old market-place, where fiſh, fleſh, and all other commodities, were expoſed to ſale. What ſeems chiefly to have determined them in their choice of this place was, firſt, its being contiguous to the river; and, ſecondly, the larger part of the country, and the greater number of inhabitants that compoſed the market, being on the weſt ſide of the Eſke. But, whatever the reaſons might be, it is certain the market was conſtantly held there for near a century after the diſſolution of the Monaſtery; and probably it would ſtill have continued to be held there, if a more convenient intercourſe had not been made between the two different ſides of the river, by means of a wooden draw-bridge erected afterwards, which was made paſſable for carriages.

At the diſſolution of our Monaſtery, there were in the Abbey, and Cimitery adjoining, many fair monuments and tomb-ſtones, which had, at different times, been placed there as venerable memorials of ſeveral Abbots and other eminent men who were interred at Whitby. Theſe now were all taken away, and depoſited in the church and Cimitery of St. Mary, by the principal inhabitants of Whitby and the country adjacent, who laid them there as memorials of the burying-ground which was appropriated to them and their ſucceſſors. Some few of theſe yet remain in the church; and many of them which were placed in the church yard continued there alſo till the year 1736, when the Miniſter of the place, finding that it greatly obſtructed him and the ordinary at York from getting money by erecting new tomb-ſtones, cauſed them all, as opportunity offered, to be broken in pieces and demoliſhed, as relics of Popery; ſo that in ten or fifteen years time not one of them was left remaining.

The Scots having ſtirred up the wrath of King Henry VIII. by their perfidious behaviour in regard to the marriage of Prince Edward with Mary the then Queen of Scots, a reſolution was formed by the Engliſh Monarch to chaſtiſe their inſolence, by making war upon them; for which purpoſe the Earl of Hartford was commiſſioned as General, and ſent down to the northward to levy an army on the other ſide of the Trent; who coming to Newcaſtle, iſſued out his orders to the Nobility and Gentry with what number of troops each of them was to attend him; for in theſe days men were

not

notimpreſſed, but it was cuſtomary for every Nobleman and Gentleman, according to his rank and ability, to acquaint the King what number of armed men he could bring into the field for any particular ſervice; and, after having an indenture drawn up in form, he was obliged to conduct theſe men to the place of rendezvous, where they were afterwards entertained at the King's expence.

Mr. Cholmley having levied a band of Yorkſhire-men for this expedition, conſiſting chiefly of his own tenants and menial ſervants, joined the Royal army at Newcaſtle; and, all things being now in readineſs, the Earl embarked his forces at Shields, and, tranſporting them to the frith of Forth in Scotland, landed them at or near the town of Leith, which place they burnt down to the ground, as alſo Edinburgh, Haddington, Dunbar, Dalkeith, Muſſelburgh, and every other town or village they came at, ſo that the whole country for many miles round was rendered a perfect wilderneſs, no Scottiſh army ever daring to make head againſt them. Here Mr. Richard Cholmley, and his brother Hugh, ſo particularly diſtinguiſhed themſelves, that, after the burning of Edinburgh, both of them were knighted at Leith by their General, on Sunday, May 11, 1544.

Soon after returning from this expedition, viz. on the firſt day of March, 1545, Sir Richard Cholmley purchaſed of King Henry VIII. for the ſum of 333 l. 8 s. 4 d. the manors of Eſhedaleſyde (or Eſhedalehall) and Uglebarby, with all their rights, members, and appurtenances, as they formerly had belonged to the Monaſtery of Whytby; namely, a meſſuage or tenement called Fayrehede, with a cloſe of land called Bayntye Clooſe, in the pariſh of Whytby, lett to Richard Harland: Alſo a meſſuage or tenement, with two cloſes of land called Halfe the Fayrehede, with all the tithes of corn and hay proceeding from the ſame, and likewiſe the Intake, and all their appurtenances, in Whytby aforeſaid, lett to John Dale: Alſo a meſſuage or tenement called Carley-Howſe, with one cloſe of land called the Feylde, containing by eſtimation two acres; another cloſe of land called the Rake, containing by eſtimation two acres; another cloſe of land called the Inge, containing by eſtimation two acres; another cloſe of land called Rakehill, containing by eſtimation two acres; another cloſe of land called Rowe-Crofte, containing by eſtimation two acres; another cloſe of land called Welle-Cloſe, containing by eſtimation three acres; another cloſe of land called Lange-Parke, containing by eſtimation one acre and a half; another cloſe of land called Mylnedale, containing by eſtimation two acres; two little crofts called Cotegarths, containing by eſtimation three acres; another cloſe of land called Lyndeholme, containing by eſtimation three acres; and another cloſe of land called the Myres, containing by eſtimation one acre; with all their appurtenances, in Whytby aforeſaid, now or lately in the tenure or occupation of William Poſtgate of Eſhedale, or his aſſigns: Alſo a cloſe of land called the Intake, containing by eſtimation one acre, lying in Whytby aforeſaid, and lett to the ſaid William Poſtgate: Alſo a meſſuage or tenement in Sleyghts, with a cloſe of land called Laſam Cloſe,

in Whytby aforeſaid, lett alſo to William Poſtgate of Sleyghtys: Alſo a meſſuage or tenement in Sleyghtys, with its appurtenances, in Whytby aforeſaid, lett to Nicholas Chapman: Alſo a meſſuage or tenement, with one toft and a croft, and three cloſes of land, and their appurtenances, in Whytby aforeſaid, lett to George Hyll: Alſo a meſſuage or tenement, with a cloſe of land called the New Intake, in Whytby aforeſaid, lett to Robert Rychardſon: Alſo a meſſuage or tenement in Sleyghtys, with one cloſe of land called Laſam Cloſe, and the half of a certain fiſhery called the Fyſhe-Hek, in Whytby aforeſaid, lett to Thomas Chapman: Alſo a meſſuage or tenement in Eſhedaleſyde, in Whytby aforeſaid, lett to Percival Dale: Alſo a meſſuage or tenement, with five cloſes of land, and their appurtenances, in Ebornedale, in Whytby aforeſaid, lett to Robert Pereſon: Alſo a meſſuage or tenement, with its appurtenances, in Eſhedaleſyde, in Whytby aforeſaid, lett to George Newton: Alſo a cloſe of land called the Intake, in Whytby aforeſaid, containing by eſtimation one acre, lett to the ſaid George Newton: Alſo a meſſuage or tenement, with the ſeveral cloſes of land belonging thereto, in Whytby aforeſaid, lett to John Tyndale: Alſo a meſſuage or tenement, with a cloſe of land called Laſam Cloſe, in Whytby aforeſaid, lett to Thomas Cockerell, junior: Alſo a meſſuage or tenement called Leſſehede, with two acres of land called the Intake, in Whytby aforeſaid, lett to William Chapman and Henry Chapman: Alſo a meſſuage or tenement called the New Cote, in Whytby aforeſaid, lett to Thomas Skelton: Alſo a cloſe of land called the Intake, with its appurtenances, in Whytby aforeſaid, lett to Thomas Cockerell: Alſo a cloſe of land, or intake, called Boſarde-Neſte, and all the Broſyngys of the Holleys, with their appurtenances, in Whytby aforeſaid, lett to John Cockerell and Henry Cockerell: Alſo a cloſe of land, or intake, called Lyttelbecke, in Whytby aforeſaid, lett to Richard Alanſon: Alſo a meſſuage or tenement called the Preſtys Howſe, with every thing pertaining thereto, ſituate and being at Aſlaby, in the pariſh of Whytby, and lett to William Lelum: Alſo all the manor of Uglebarby, with its rights, members, and appurtenances, as lett to Thomas Elryngton, or his aſſigns; and every thing that is known or reputed to be Kyrkland, belonging to the ſaid manor, lying in the South-Howſe-Feyld, in Whytby aforeſaid, lett to James Strangways, Eſq: Alſo all that wood, or hereditament, called Smetheholme-Woode, containing by eſtimation ſix acres, in Whytby aforeſaid.

The before-mentioned premiſes, with every thing elſe that had formerly belonged to the Monaſtery of Whytby, whether in the town, fields, pariſh, or hamlets of Whytby, or in Eſhedale, Eſhedaleſyde, the Sleyghtys, Ebornedale, Aſlaby, and Uglebarby, were granted to Sir Richard Cholmeley, Knight, in as full and ample a manner as ever any Abbot of Whytby had enjoyed them, being lett for an yearly rent of 18 l. 2 s. 2 d. without deducting the tithe. Excepting however, and always reſerving to the ſaid King, his heirs and ſucceſſors, all advowſons, and right of preſentation to every eccleſiaſtical living belonging or in any ways appertaining to the ſaid lands. To be held of the King *in capite*, for the ſervice of one fiftieth part

of

of a knight's fee, on paying annually for the ſame 36 s. 3 d. every Michaelmas, into the court of augmentations of the reventions of the crown, for all revenues, ſervices, tithes, or demands whatſoever, excepting what is before excepted, and a revenue of 13 s. 4 d. to be paid yearly to Percival Cockerell, the foreſter of Eſhedale woods. In confirmation of which grants the aforeſaid King Henry VIII. granted his letters patent to the ſaid Sir Richard Cholmley, Knight, witneſſed by himſelf, and ſealed with the privy ſeal, on the firſt day of March, in the 37th year of his reign.

I have been the more particular in making this abſtract from theſe letters patent, not only to ſhew what this part of our country was, and by whom inhabited, at the diſſolution of our Monaſtery, but alſo to make it appear that Dr. Burton is miſtaken when he ſays "That ſeveral meſſuages, lands, and cloſes in Whitby, were granted therein to Sir Richard Cholmley, Knight;" for by the word *Whitby*, in the deed from which the above abſtract is taken, we are moſt aſſuredly every where to underſtand Whitby pariſh, ſince all the above-mentioned premiſes lie on Eſkedale-ſide, nor is any one of them nearer to the town of Whitby than the Fiſh-Hecks at Ruſwarp.

In the year 1544, King Henry VIII. ſold all the lands and poſſeſſions belonging to the cell of Gromont, in the neighbourhood of Egton, to Edward Wright, Eſq; and that Gentleman, in the year following, with the King's licence, diſpoſed of the ſame to Mr. Francis Sprigg, who, about the latter end of the year 1545, alienated them to Sir Richard Cholmley, Knight, and his heirs; in whoſe poſſeſſion they continued afterwards for ſeveral ages, till they were finally diſpoſed of to the Saunders family, whoſe deſcendants ſtill enjoy a conſiderable part of them; though the cell, and land adjoining, are now ſold, and become the property of Meſſ. Richard and Matthew Agar, and Mr. John Linſkill.

Sir Richard Cholmley, that he might be the better enabled to purchaſe Abbey-Lands in Yorkſhire, ſold his poſſeſſions in Kent, which were of very conſiderable value; and, on May 20, 1550, a grant being made by letters patent from King Edward VI. of the manors of Whitby, Leirpol, Whitby-Lathes, Stainſacre, and Hawkeſgarth, with ſeveral other demeſne lands and meſſuages near Whitby, to the Earl of Warwick, he, with the King's licence, by deed, bearing date the 18th of April, 1551, alienated the ſame to Sir John Yorke and Ann his wife, who afterwards diſpoſed of the whole to Sir Richard Cholmley, Knight, and his heirs, by deed, bearing date the 2d of July, 1555.

At that time there continued to be paid out of the augmentation office, as chargeable on the revenues of Whitby Abbey in ſeveral yearly fees, the ſum of 6 l. 13 s. 4 d. and in ſeveral annuities granted to different perſons by the ſaid Abbey before its diſſolution, the yearly ſum of 100 l. 5 s. 4 d. as alſo the following penſions to ſuch as had been Monks there, and were then deſtitute of ſupport, viz. to John Hexham, heretofore Abbot, 26 l. to Robert Wood 8 l. to Peter Thompſon 6 l. to William Nicholſon, Thomas Thorpe, Thomas Hewit, and Henry Barker, 5 l. 6 s. 8 d. each; and to John Watſon, William Newton, William Froſte, and Robert Ledley,

5 l. each. So that the whole ſum then yearly paid out of the augmentation office was 188 l. 5 s. 4 d. and the revenues of the Abbey at the diſſolution being only 437 l. 2 s. there did not yet remain clear to the crown, from the revenues of Whitby Abbey, any more than a ſum of 247 l. 16 s. 8 d. per annum. But when all the Abbey Lands and poſſeſſions were ſold off, the crown, without receiving any further gratuity or recompence from thoſe who had purchaſed the ſaid lands, continued to be anſwerable for the ſeveral annuities or penſions above-mentioned, till the death of ſuch perſons as were then reſpectively entitled to the ſame.

On February 20, 1563, Queen Elizabeth, for the ſum of 1120 l. 12 s. 6 d. granted to Sir Richard Cholmley, Knight, the following tracts of land, &c. all of which had formerly belonged to the Monaſtery of Whitby, viz. a farm in Stope-Brow, lett by Queen Mary and King Philip, June 22, 1557, to Anthony Paycocke and Agnes his wife, for thirty years, at the yearly rent of forty ſhillings: Alſo another farm in Stowpebrowe, poſſeſſed by William Jackſon, and ſeveral houſes at Robynhoodebay, in the tenure of John Bircham, with two cloſes near Robynhoodebaye, called Adamhill and Bakercloſe, all which premiſes were lett on the 12th day of Auguſt, 1557, by the aforeſaid King and Queen, to John Jackſon for thirty years, he being to pay yearly for the farm at Stowpe-Browe 13 s. 4 d. for John Bircham's cottages 3 s. for Adamhill 10 s. and for Bakercloſe 6 s. 8 d. Alſo another farm at Normanbye, lett by the aforeſaid Queen Elizabeth on February 28, 1561, to William Staincliffe, ſon of William Staincliffe, for 21 years, at an yearly rent of 38 s. 8 d. Alſo another farm in Stoope and Thorneye, called Broſell-Rigge, formerly poſſeſſed by Robert Huntrodes, and afterwards by William Davell, and afterwards by Matthew Watſon, to whom it was lett by Queen Elizabeth, May 17, 1561, for twenty one years, at an yearly rent of 24 s. 8 d. Alſo twenty two cottages in Robynhoodebaye, in the ſeveral poſſeſſions of John Storm, Robert Gretham, John Kinge, Thomas Fletcher, Robert Dale, Edward Wignar, Thomas Pape, the wife of ——— Watſon, William Forſter, Richard Smythe, George Grindale, John Bircham, John Idill, William Wilſonne, Roger Johnſonne, John Rawmer, Chriſtopher Malteby, Robert Richardſon, George Buſshel, John Cockerell, James Richardſonne, and Thomas Marſigigall, or Maſſingall, of the yearly value of 48 s. Alſo a cloſe at Robynhoodebaye, called the Cow Cloſe, lett to Matthew Storm for an yearly rent of 38 s. 4 d. Alſo a cottage and cloſe called Langethwaite Cloſe, near Robynhoodebaye, in the poſſeſſion of George Hewetſonne, of the yearly value of 14 s. Alſo a cottage and cloſe called Langethwaite, near Robynhoodebaye, in the poſſeſſion of Robert Richardſonne, of the yearly value of 8 s. Alſo another cloſe of land called Langethwaite, near Robynhoodebaye, lett to Peter Storm for an yearly rent of 2 s. 6 d. Alſo another cloſe of land called Langethwaite, lying beyond the other half, lett to William Smythe for an yearly rent of 2 s. 6 d. Alſo twenty eight cottages in Robynhoodebaye, of the yearly value of 66 s. 6 d. lett to John Smythe of Wakefelde, Richard Hart, Robert Wyndell, Thomas Thomſonne, Peter Storme, William Richardſonne, Thomas Stanrigge, William

William Storme, John Laycocke, William Wrenche, John Clemens, Robert Storme, Richard Dayſonne, John Moreſonne, William Huntrowes, the wife of Robert Moreſonne, Bartholomew Storm, Katharine, lately the wife of John Dixſon, Robert Lelome, Agnes Salmon, William Hepler, William Smythe, William Hewetſonne, John Malteby, Robert Storme, Robert Docheman, William Willſon, and Johanna, lately the wife of Chriſtopher Malteby: Alſo another tenement, with one cloſe of land called Eaſt-Cloſſe, in Normanbye, lett to George Conyers for the yearly rent of 73 s. 4 d. Alſo another tenement or farm, in Normanbye, lett to William Stubbes for the yearly rent of 11 s. 5 d. Alſo another tenement or farm, at Normanbye, lett to Thomas Stancliffe for the yearly rent of 38 s. 8 d. Alſo another tenement, with four oxgangs of land in Fylinge-Feilde, lett to John Huntrowes and Thomas Huntrowes for the yearly rent of 18 s. 6 d. Alſo another tenement, and three oxgangs of land in Fyling-Feildes, lately lett to William Stanerige for an yearly rent of 13 s. 3 d. Alſo another tenement, and two oxgangs of land in Fylinge, lett to Johanna Fletcher for an yearly rent of 6 s. 10 d. Alſo all that meadow field called Fylinge-Bothome, lett to ſeveral tenants in Fylinge for an yearly rent of 26 s. Alſo all that tenement, with three oxgangs of land in Fylinge, lett to Peter Dale for an yearly rent of 12 s. 3 d. Alſo all that tenement, with three oxgangs of land in Fylinge aforeſaid, lett to John Huntrowes for an yearly rent of 16 s. 3 d. Alſo all that tenement, with two oxgangs of land in Fylinge, lett to Edward Allatſon for an yearly rent of 8 s. 8 d. Alſo all that tenement, and two oxgangs of land in Fylinge, lett to John Dobſon for an yearly rent of 11 s. Alſo all that tenement, and one cloſe of land called Aſhedaleſike, with three oxgangs of land in Fylinge, lett to Robert Gretham for an yearly rent of 14 s. Alſo all that tenement, and three oxgangs of land in Fylinge, lett to Richard Broune for an yearly rent of 19 s. 3 d. Alſo all that cottage, and cloſe of land belonging thereto in Thorpe, lett to John Wilſonne for an yearly rent of 3 s. Alſo all that tenement, and three oxgangs of land in Thorpe, lett to John Becham for an yearly rent of 16 s. 4 d. Alſo all that tenement, and three oxgangs of land in Thorpe, lett to Robert Sheminge for an yearly rent of 10 s. Alſo all the land in Middle-wood-Feld, with one cloſe of land, or intake upon the moor, lately taken up, and called Fowleſike, otherwiſe Wawe-Mires, belonging to Thorpe, and lett to Robert Sheminge for an yearly rent of 23 s. 4 d. Alſo all that tenement, and three oxgangs of land in Thorpe, lett to Thomas Dale and Chriſtopher Poſkett for an yearly rent of 16 s. 3 d. Alſo all that cottage, with the tofts and crofts pertaining thereto in Thorpe, lett to Peter Wodhouſe for an yearly rent of 8 s. 10 d. Alſo all that free revenue of 3 s. iſſuing out of a tenement in Thorpe called Migehall, in the poſſeſſion of William Poſkett: Alſo all that free revenue of 18 d. iſſuing out of a tenement and two oxgangs of land in Thorpe, in the poſſeſſion of Robert Allatſon: Alſo all that tenement, and two oxgangs of land in Thorpe, with other meadows, lands, and paſtures pertaining thereto, in the tenure of William Sheminge: Alſo all that tenement, and oxgang of land,

land, with one little close called Jugercloſſe, and a little parcel of land in the bothome called the Acres, all pertaining to Thorpe, and being in the tenure of Henry Pate: Alſo all that tenement, and two oxgangs of land in Thorpe, in the occupation of Henry Salmon: Alſo all theſe two tenements, and four oxgangs of land, with their appurtenances, and the old walls and cloſes, and all that tenement called Parkeyate, with a cloſe pertaining thereto; as alſo another tenement, and an oxgang of land in Thorpe, all formerly lett to the wife of —— Birchame, but now in the occupation of Robert Floter: Alſo all that cottage and garden in Thorpe, with two acres of land in the town field, and one little cloſe in the ſaid field, all lett to Edward Sweton: Alſo all that tenement, with two parcels of land at Thorpe, lett to William Merſhingale: Alſo all that cottage, with two parcels of land called the Butts, lying in Thorpe field, in the occupation of John Manne: Alſo all theſe fifteen cottages lying in Thorpe, in the ſeveral poſſeſſions of Richard Rudſtone, John Jenkinſon, Robert Doſon, John Grenekell the Parſon, Thomas Salmon, William Harland, the wife of John Watſon, Robert Colſon, Chriſtopher Beane, Chriſtopher Thomſonne, William Manne, and William Sneton: Alſo all that parcel of incloſed land on Fylinge-common, called Helmeſtede, lett to Robert Cockerell: Alſo all that little parcel of land lately taken up from the waſte in Iburndale, called the Intake, lett to Thomas Chapman: Alſo all that cloſe, called Stoope-Cloſe, in the tenure of George Buſshell: And alſo all that tenement, with one cloſe of land in Stoope aforeſaid, lett to Richard Redman.

All which premiſes here recited, with every thing elſe that had formerly belonged to the Monaſtery of Whitby, in the towns, pariſh fields, and hamletts of Robynhoodebaye, Normanbye, Fyling, Rawe, Thorpe, and Stoope, were now given and granted, for the conſideration aforeſaid, to Sir Richard Cholmeley, Knight, with all their appurtenances, whether in lands, woods, fiſheries, revenues, ſervices, produce, tithes, glebe-lands, oblations, obventions, profits, advantages, emoluments, or in any thing elſe whatſoever, being then lett in the whole for an yearly rent of 39 l. 18 s. 1 d. only reſerving to the Queen's Majeſty, her heirs and ſucceſſors, all the lead and bells which were upon the premiſes, as alſo all advowſons, and right of preſentation to every church-living or vicarage that might pertain to the ſaid lands. To be held of the Queen, her heirs and ſucceſſors, as a part of the manor of Eaſt-Grenewiche, in the county of Kent, by fealty only, *in libero et communi ſocagio, et non in capite.*—Signed by Thomas Gardiner, Eſq; one of the tellers in the exchequer, the Biſhop of Wincheſter, and ſeveral others.

Theſe laſt-mentioned lands and poſſeſſions were further confirmed to Sir Richard Cholmley, by a charter from Queen Elizabeth, dated on the 13th day of Auguſt, 1574, and ſealed with the privy ſeal, being ſigned by Martyn James, while the Queen was reſident at Gorhambury.

Moreover, in the year 1567, Queen Elizabeth "admitted and approved of all the charters, donations, grants, and confirmations that had heretofore been made to the Abbots and Convent of Whitby, by the Kings of England her

her predeceſſors, (the charter of King Henry VI. only excepted) and, as far as it was in her power, ratified and confirmed the ſame, for herſelf, her heirs, and ſucceſſors, according to what is contained in theſe charters and letters patent, to her truſty and well-beloved ſubject Sir Richard Cholmeley, Knight, and his heirs, then holding the ſite of the ſaid Monaſtery, with the lordſhip or manor of Whitby, and divers other lands, tenements, and hereditaments, formerly belonging and appertaining to, or being part and parcel of, the poſſeſſions of the ſaid late Monaſtery. In teſtimony whereof ſhe cauſed theſe her letters to be made patent; as witneſs herſelf at Weſtminſter, the 28th day of November, in the 10th year of her reign.

ELIZABETH."

Sir Richard Cholmley had now ſo much enlarged his Yorkſhire poſſeſſions, that he was almoſt upon a level with the firſt Nobility in the nation. Beſides what he enjoyed in other parts of the county, the greateſt part of the land near Whitby, for fifteen miles in length and ſeven in breadth, was his: Notwithſtanding which he commonly reſided at Roxby, near Thornton, and came but ſeldom to Whitby. He loved pomp, and generally had fifty or ſixty ſervants about his houſe; nor would he ever go up to London without a retinue of thirty or forty men. He was bred a ſoldier, and delighted much in feats of war, being tall in ſtature, and ſtrong made. His hair and eyes were black, and his complexion ſo ſwarthy, that he was frequently called *the great Black Knight of the North*. He married for his firſt wife Margaret daughter to Lord Conyers, by whom he had iſſue three ſons, Francis, Roger, and Richard; as alſo three daughters, Margaret, Jane, and Elizabeth. And this lady dying young, he married for his ſecond wife Katharine, the daughter of Henry the firſt Earl of Cumberland, and widow to John Lord Scrope of Bolton, by whom he had firſt a daughter called Katharine, and afterwards a ſon called Henry.

Lady Katharine Clifford, ſecond wife to Sir Richard Cholmley, was one of the moſt celebrated beauties of the age in which ſhe lived; and King Henry VIII. being informed of this, deſired Lord Scrope, her firſt huſband, to bring her up to court; but he, being well acquainted with the diſpoſition of that amorous Prince, would by no means conſent to her leaving the country, which Henry ſo much reſented, that he forbad Lord Scrope from coming any more to court. She was a woman of ſingular prudence and piety, and lived happy with Sir Richard till the time of his death, which happened at Roxby in the year 1578, when he was in the 64th year of his age. He was buried in Thornton church, of which he was patron; and this lady, ſoon after his death, came to reſide at Whitby with her ſon Henry, with whom ſhe lived almoſt twenty years; and dying about the year 1598, ſhe lies interred under the great blue ſtone in the Chancel of Whitby church.

Sir Francis Cholmley, the eldeſt ſon of Sir Richard, about the year 1570, married Miſs Jane Bulmer, and came to reſide at Whitby, where he new-built the Abbot's houſe, of oak timber, framed, as was the cuſtom in that age, being from the hall downwards nearly in the ſame proportion it now ſtands.

ſtands. He died without iſſue in the year 1579, and was buried in the church of St. Mary at Beverley, being ſucceeded in the eſtate by his youngeſt brother Henry. As for Roger and Richard, his other two brothers, they married two ſiſters, the daughters of a gentleman called Dallrivers, to whom he bequeathed his eſtate, notwithſtanding his having a legitimate ſon; and from this Roger the Cholmleys of Branſby are deſcended. Margaret, the eldeſt ſiſter of Sir Francis, was married to James Strangways, Eſq; Lord of Sneton; Jane, the ſecond ſiſter, married Ralph Salvin, Eſq; of Newbiggin, then owner of all Egton lordſhip; Elizabeth, the third ſiſter, married Sir Ambroſe (or Sir Leonard) Beckwith, who then lived at Handale Abbey; and Katharine, his youngeſt ſiſter, married a gentleman called Dutton.

Sir Henry Cholmley, the only ſon of Sir Richard by his ſecond wife, about the year 1579 married Margaret the daughter of Sir William Babthorpe, Knight; and ſoon after, his brother Sir Francis dying, he ſucceeded to the paternal eſtate, in conſequence of the entail made in his father's will; on which he came to live at Whitby, where he generally reſided till the death of his mother, the Lady Scrope, in the year 1598, when he changed the place of his reſidence from Whitby to Roxby, where he lived a conſiderable time, and was knighted by King James at York, in the year 1603, when he firſt came into England. In the latter part of his life he retired with his wife and family to the city of York, where he lived till the day of his death, which happened in the year 1614, and was occaſioned by a fall from his horſe in leaping a hedge; for being a tall and corpulent man, he was ſo much bruiſed therewith that it brought him to his end in the 66th year of his age, when he was buried in St. John's church, at the lower end of Micklegate in York, and ſucceeded in the paternal eſtate by his eldeſt ſon Sir Richard.

By Margaret his wife he had a numerous iſſue, of which thoſe that ſurvived him were three ſons, Richard, Henry, and John, and ſeven daughters, Barbara, Dorothy, Hilda, Margaret, Mary, Suſanna, and Annabella. Richard the eldeſt ſon, who was born in the year 1580, was married to Suſanna, daughter of John Legard, Eſq; of Ganton, when only ſixteen years of age. Concerning Henry we have nothing particular to ſay; nor do we know any thing further about John, but that at his death he was interred at York, near the remains of his father, his mother, and aunt Mrs. Jane Salvin.

As for the daughters: Barbara was married to Thomas Lord Falconberg, who had lands given him of great value for her portion: Dorothy was married to Nicholas Buſhell of Whitby, Eſq; Hilda to Toby Wright, Eſq; Margaret to Timothy Conyers, Eſq; Mary to Henry Fairfax, ſon of the Lord Fairfax of Denton: Suſanna to Richard Theakſton, Eſq; and Annabella to Henry Wickham, Chaplain to King Charles I. a very learned divine, and an eminent man in his time.

But let us for a while leave this family, and take notice of ſome other affairs that were tranſacted at Whitby during the reigns of Queen Elizabeth and King James I. And here I muſt own I have never been able to meet with any certain account of either ſhip or veſſel belonging to our port during the long reign of Queen Elizabeth, except fiſhing-boats only, till after erecting

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the allum-works at Giſbrough. That ſhips, even from foreign parts, ſometimes put in there is certain; but that theſe ſhips belonged to any of the inhabitants of Whitby ſeems not at all probable, ſince, ſo late as the year 1690, when any ſhip belonging to Whitby was to croſs the ſea for a foreign port, a pilot, or maſter for that ſhip, was to be procured from London, Yarmouth, Hull, Newcaſtle, or ſome other noted ſea-port town. In this reign the harbour mouth was ſo much obſtructed with ſand, and ſo dangerous to approach, that it was attended with ſome difficulty for even boats to get in and out. As yet the piers were of very little ſervice; for being only formed of oak timber framed, near thoſe places where we have now the Scotch-Head and the Burgeſs-Pier, the fiſhermen, more effectually to ſecure their boats, and the cottages wherein they lived, time after time threw into theſe frames a parcel of looſe ſtones, to curb the violent run of the ſea into the harbour in ſtormy weather. But theſe ſtones were frequently waſhed away, and the bulwarks they formed deſtroyed, till they were again replaced, and put into ſome order by the renewed labour of the poor fiſhermen. However, the uſe and advantage of piers became ſo viſible when ſhipping began to increaſe at Whitby, that, in the reign of King Charles I. the inhabitants ſet about building them in a more ſubſtantial manner than they had ever been built there in any former age.

Towards the latter end of Queen Elizabeth's reign a diſcovery was made of the utmoſt importance to Whitby and the country which ſurrounds it, as it afterwards raiſed us out of obſcurity, made us acquainted with navigation, and has rendered us of ſuch conſequence as a maritime town, that our ſhips and ſailors are now ſent to viſit the moſt remote parts of the world, where not even the name of Britain was formerly known. This diſcovery was the finding out that our coaſt every where abounded with allum-rock.

Thomas Chaloner, Eſq; (afterwards Sir Thomas Chaloner) of Giſbrough, being upon his travels in Italy, carefully examined the Pope's allum-works near Rome, which were the only thing of the kind then known in Europe, and were very beneficial to his Holineſs, bringing him in yearly a large revenue. He conſidered there was a mineral exactly of the ſame kind in the neighbourhood of Giſbrough, and was greatly deſirous to try if erecting an allum-work there would not much advance the income of the Chaloner family. But, as he was entirely a ſtranger to the proceſs in making allum, he found it would be abſolutely neceſſary to procure ſome artiſts well acquainted with the whole myſtery. Theſe he knew were no where elſe to be had but from the Pope's allum-works; for which reaſon he tampered with ſome men of ingenuity that were employed there; and, partly with money, and partly with promiſes of large rewards, engaged two or three of them to come over with him into England. But as a diſcovery of his deſign would infallibly have ſubjected him to capital puniſhment in the Pope's dominions, for the preſerving of ſecrecy he had them put up in large caſks, and in that manner clandeſtinely conveyed them on board a ſhip then ready to ſail for England. With this acquiſition, getting ſafely off, he made the beſt of his way for Yorkſhire, and immediately after his return began to erect an allum-work

very near the place of his habitation, which afterwards completely anſwered his expectation, and brought him in yearly a large revenue. The Pope, when informed of all theſe proceedings, was extremely provoked; and ſome conſiderable time after their leaving Italy, thundered out a dreadful curſe againſt Mr. Chaloner, and the workmen that had eloped with him, which is ſaid to have been in words to the following purpoſe:

"BY the authority of God Almighty, the Father, Son, and Holy Ghoſt, and of the holy Canons, and of the undefiled Virgin Mary, the mother and patroneſs of our Saviour, and of all the celeſtial virtues, angels, archangels, thrones, dominions, powers, cherubins and ſeraphins, and of the holy Patriarchs and Prophets, and of all the Apoſtles and Evangeliſts, and of the holy Innocents, who in the ſight of the holy Lamb are found worthy to ſing the new ſong, of the holy Martyrs and holy Confeſſors, and of the holy Virgins, and of all the Saints, together with all the holy and elect of God, we excommunicate and anathematiſe," *(here all their names are particularly mentioned)*, "and from the threſholds of the holy church of God Almighty we ſequeſter them, that they may be tormented, diſpoſed of, and delivered over with Dathan and Abiram, and with thoſe who ſay unto the Lord God, *Depart from us, we deſire not to know thy ways.* And as fire is quenched with water, ſo let their light be put out for evermore, unleſs they repent and make ſatisfaction for this their crime. Amen.

"May the Father, who created man, curſe them. May the Son, who ſuffered for us, curſe them. May the Holy Ghoſt, who was given to us in baptiſm, curſe them. May the holy and eternal Virgin Mary, the mother of God, curſe them. May St. Michael, the advocate of holy ſouls, curſe them. May all the angels and archangels, principalities and powers, and all the heavenly hoſt, curſe them. May the laudable number of the Patriarchs and Prophets, curſe them. May St. John, the chief fore-runner and baptiſt of Chriſt, curſe them. May St. Peter, and St. Paul, and St. Andrew, and all other of Chriſt's Apoſtles, together with the reſt of his diſciples, and the four Evangeliſts, who by their preaching converted the univerſal world, curſe them. May the holy and wonderful company of Martyrs and Confeſſors, who by their holy works are found pleaſing to Almighty God, curſe them. May the holy choir of the holy Virgins, who for the honour of Chriſt have deſpiſed the things of this world, curſe them. May all the Saints, who from the beginning of the world to everlaſting ages are found to be the beloved of God, curſe them. May the heaven and the earth, and all the holy things remaining therein, curſe them. May they be curſed whereſoever they are; whether in the houſe or in the field, in the highway or in the path, in the wood or in the water, in the market or in the church. May they be curſed in living and in dying, in eating and in drinking, in being hungry and in being thirſty, in faſting and in ſleeping, in ſlumbering and in waking, in walking and in ſtanding, in ſitting and in lying, in working and in reſting, in piſſing and in ſhiting, in ſweating and in blood-letting. May they be curſed in all the faculties of their body, inwardly and outwardly. May they be curſed in the hair of their head and in their brain, in the crown of their head and in their

their temples, in their forehead and in their ears, in their eyebrows and in their cheeks, in their jawbones and in their noſtrils, in their teeth and in their lips, in their throat and in their ſhoulders, in their wriſts and in their arms, in their hands and in their fingers, in their breaſt and in their heart, in their bowels and in all the interior parts of their body to their very ſtomach, in their reins and in their groin, in their thighs and in their genitals, in their hips and in their knees, in their legs and in their feet, in their joints and in their nails. May they be curſed in all their joints, from the top of their head to the ſole of their feet, nor may there be any ſoundneſs left in them.

"May the Son of the living God, with all the glory of his majeſty, curſe them; and may heaven, with all the powers which move therein, riſe up againſt them to damn them, unleſs they ſhall repent, and make proper ſatisfaction for this their crime. Amen, Amen. So be it." Vide the Ledger Book of the church of Rocheſter, now in the cuſtody of the Dean and Chapter there.

This curſe, horrible and dreadful as it is, had not the effect for which it was intended, ſince it hindered not Mr. Chaloner, and the workmen that were under him, from making allum: They went on very ſucceſsfully, and though they conſiderably lowered the price at which allum had till then been ſold by his Holineſs, yet nevertheleſs they continued to get money ſo faſt that it excited the emulation of ſeveral neighbouring gentlemen, who were very deſirous of being ſharers in ſo beneficial a trade; but, as there was little hopes of Mr. Chaloner's admitting them into a partnerſhip with him, the Darcy family, about the year 1600, began to erect another allum-work in the neighbourhood of Giſbrough, not far from Mr. Chaloner's works: And this alſo brought its owners ſo much gain, that, about the year 1615, another allum-work was erected near Sands-End, within three miles of Whitby, whoſe profits were ſo great that it ſtill further excited others to adventure money, and put in for a ſhare of the allum trade, which was now eſtabliſhed upon a ſolid foundation on this part of the Yorkſhire coaſt.

For the making this allum it was neceſſary that large quantities of coals ſhould be procured, an article till then but little known on our part of the coaſt. Theſe were not any ways to be ſo readily had as by ſhipping from Newcaſtle or Sunderland; and it being found very expenſive to bring ſhips for that purpoſe from diſtant parts of the nation, a deſign was formed to have veſſels always in a readineſs on ſome convenient part of the coaſt, whence they might put to ſea in moderate weather. Here Whitby ſeemed to claim precedence of all other places, not only as it contained a harbour, but alſo had in it a number of fiſhermen, who having been long enured to the ſea, might eaſily be rendered good ſailors. Fired with the proſpect of gain, and encouraged by the allum owners, ſome of theſe fiſhermen purchaſed two or three veſſels of ſmall burden, about the year 1615, with which they undertook to furniſh the allum-works yearly with a certain quantity of coals; and having found out the way by ſea to Newcaſtle and Sunderland, after the allum was made and fit to be carried to market, with a little aſſiſtance from pilots, they next adventured themſelves and ſhips as far as

London, whither nobody belonging to Whitby before that time had ever gone without firſt making their wills, it being looked upon as an attempt ſo very dangerous, that it was an equal chance whether or no they ever returned. When they arrived there, and had diſpoſed of their allum, fiſh, butter, and ſuch other commodities as they carried with them, they returned home again freighted with merchandiſe for Whitby, which was there always ſold and diſpoſed of to a conſiderable advantage.

After gaining a little experience in this trade, and conſidering that their ſhips were not to lie unemployed when the allum-works were ſupplied with coals, their owners by degrees found out the way alſo to other ports, where they carried coals, and ſuch other articles as they found would there redound to their advantage; and thus by little and little was the coaſting navigation introduced and eſtabliſhed at Whitby. The profits which aroſe from the ſhips they then had, of courſe incited others alſo to adventure their property at ſea: More veſſels were purchaſed; and in twenty or thirty years time, by a reſort of ſeveral ſhip-carpenters to the place, the inhabitants themſelves were enabled to build new ſhips at the port of Whitby, with the oak timber that was then very plentiful and very cheap in its neighbourhood, ſo that commerce kept gradually increaſing.

But how inconſiderable the town of Whitby then was, and how inſignificant the number of its inhabitants, before the erecting of theſe allum-works, may be fully proved, not only by the liſt of burials at that time in our church-regiſter, which are ſix, ſeven, or eight in a year, but alſo from the following extract from a deed belonging to Mr. Mark Noble, for that houſe of his near the old Market-Place, in which Mr. Clarkſon now lives: For that record ſays, "On October 12, 1609, Leonard Newton of Staynſikarr, merchant, ſold the market-ſtede houſe to Leonard Buſhell of Whitby, merchant, with all its appurtenances, and right of ingaite and outgaite to the lofts above the ſhops, ſett, lying, and being in the town of Whitbie, and on the weſt ſide of the ſaid town, having the Market-Place towards the north, the eaſt end of Baxtergaite towards the ſouth, the Stayth towards the eaſt, and the lands of Nicholas Buſhell, Gentleman, and Anthony Marſingill, towards the weſt, and which were ſome time ſince the lands of James Stockdale, lately deceaſed." By which extract it appears that this houſe had then no other building near it, though it now ſtands in the moſt crouded and populous part of the town.

About this time we find mention made among the inhabitants of Whitby, and Whitby pariſh, of George Newton, Leonard Buſshell, William Percy, Richard Wiggener, William Bagwith, Anthony Arrundell, John Linſkale, William Noble, Francis Yeoman, Robert Fotherley, William Walker, Gregory Sneton, William Poſtgate, John Proud, James Hood, John Boyes, Nicholas Hutchinſon, William Clark, John Kildale, William Boulton, Francis Hudſon, Francis Cooper, John Scrafton, Lionel Conne, John Cook, Francis Huntrods, Francis Chapman, Dorothy Benſon, Roger Marſingale, George Conyers, Henry Bland, John Ruſſell, Richard Duck, Jane Grenebank, Chriſtopher Barwick, Jennet Winterbottom, Dorothy Carlell, Roger Campion, Chriſtopher Storre, Roger Fairfax, Margaret Jackſon,

Jackſon, Edward Wood, Laurence Wardale, Ann Sunley, William Abbot, James Robinſon, Robert Hill, George Stonehus, Ann Brown, Matthew Woodhus, Nicholas Calvert, Thomas Barker, Thomas Bower, John Nattris, James Audhus, Roger Smailles, Richard Thomſon, Francis Hird, George Stibbin, Bryan Lacy, James Harriſon, Alice Grainge, Ellen Shimminge, Thomas Watſon, Jane Moorſom, Francis Ellerby, John Cockfield, William Ripley, Laurence Meade, John Munckman, Thomas Bernard, and ſome few others; moſt of which ſurnames are to this day ſtill to be met with in Whitby; only the name of Percy is intirely extinct, the above-mentioned William de Percy, the laſt male of that family ever known at Whitby, dying there March 6, 1612. It is true he left a daughter called Suſanna; but it appears that ſhe neither died, nor ever was married at Whitby. Alſo we find that the before-mentioned John Linſkale was married to Mary Pearcye, Sept. 22, 1611, whom I conjecture to have been the daughter of this William de Percy, and ſome iſſue from this marriage are yet remaining among us; but notwithſtanding this, the name of Percy is not at all remembered here, no, not even by the Linſkill family, however rich and opulent they now are, and however honourable an alliance to ſuch noble progenitors may be.

After the diſſolution of our Monaſtery, divine ſervice was regularly performed in the pariſh church of St. Mary at Whitby, by ſome one or other of the ſurviving Monks, till all that fraternity was extinct, which happened about the year 1570; and the Archbiſhop of York being then in poſſeſſion of the tithes, and conſequently Rector of the ſaid church, it became incumbent upon him to keep a curate there for the performing of divine ſervice, and to allow him ſuch a ſtipend out of the rent or revenue produced from the tithes as ſhould be deemed ſufficient for his maintenance. What that ſum was, cannot now be properly aſcertained; though we may reaſonably conclude it was not large, ſince the tithes were then lett at a very low rent, and ſince even in theſe our days, the Archbiſhop allows his curate at Whitby no more than 50 l. per annum. But, however that might be, we find a Clergyman, called Robert Toes, was at that time appointed by his Grace to be Miniſter of Whitby, where he afterwards married, and actually reſided on that cure for almoſt thirty years, bringing up his eldeſt ſon, Daniel, a Clergyman. He ſeems to have been beloved and reſpected by his pariſhioners; for ſoon after his admiſſion to be Curate, he received by their beneficence a fine new carved ſilver chalice, with a cover, marked 1571, to be uſed in the communion ſervice: And the church being then very deficient in bells, he had alſo intereſt enough among them to perſuade them to procure a large new bell from London, weighing about twelve hundred weight, and having on it the following motto taken out of Virgil;—— *Diſcite juſtitiam moniti, et non temnere divos.* 1590.——Which bell was properly hung in the ſteeple or tower of the church, and continued there till the year 1762.

In the year 1598 this gentleman reſigned the curacy of Whitby to his ſon Daniel, and went to reſide at Skelton, which living, with the chapelry of Brotton,

Brotton, he had enjoyed for a conſiderable number of years during the time of his reſidence at Whitby. There he took up his habitation, and there he ſpent the remainder of his life, being extremely beloved and reſpected by his pariſhioners, and died in a good old age, on June 29, 1621, much regretted by all that knew him. As for Daniel Toes his ſon, after being appointed Miniſter of Whitby, he married one of his pariſhioners, called Elizabeth Pearſon, by whom he had ſeveral children, and departed this life Nov. 19, 1624, his widow ſurviving him almoſt twenty four years.

Daniel Toes was ſucceeded as Miniſter of Whitby by a young Clergyman called Robert Remington, who came from the neighbourhood of Hull, and afterwards married at Whitby, but never had any children. He lived there as Curate about fifteen years, and was much reſpected by Sir Hugh Cholmley, to whom, on his reſigning the curacy of Whitby, he became Chaplain, about the year 1639. When he firſt came to Whitby, finding the bells very deficient, he endeavoured to remedy that defect, by applying to his pariſhioners, who firſt, in the year 1626, procured a new bell for the church, weighing about eight hundred weight, having on it this motto;——*Jeſus be our ſpeed.* 1626. *J. J. G. C.*——Which four laſt letters either ſtand for the makers names, or (as to me ſeems more probable) are the initials of the two Gentlemen's names, by whoſe liberality it was purchaſed. Afterwards, in the year 1637, his pariſhioners procured another fine new bell for the church, weighing more than a ton, and having on it this motto;——*Gloria Deo in excelſis, et pax hominibus.* 1637. *R R. W. H. C. C. J. H. S. R. D. S.*—— Which letters I apprehend may be the initials of thoſe pious pariſhioners names who were at the expence, or had the direction, of purchaſing it; the firſt of which being R. R. probably ſtand for Robert Remington, the then Miniſter.

Thus was Whitby church at length adorned with four good ſounding bells, which, though not quite tuneable, were nevertheleſs deemed very ſufficient either to warn the inhabitants in Whitby pariſh of the time when they ought to repair to church, or to be rung on any particular rejoicing day, ſo as to be heard all around in the country.

But it is time for us now to return again to the hiſtory of the Cholmley family, in treating of which we have already obſerved that young Sir Richard Cholmley, in the year 1596, married Suſanna, the daughter of John Ledgard, Eſq; who was brought up with her couſin Mrs. Jane Hotham of Scorbrough, mother to that unfortunate Knight Sir John Hotham, who was beheaded by the parliament, anno 1645. Sir Richard was of an active, ſpirited temper, as he made appear on ſeveral occaſions. He was knighted by King James at his firſt coming into England, anno 1603, at a place called Grafton in Northamptonſhire, where *He* firſt, and after him Sir Thomas Bellaſis, with twenty one more young gentlemen of quality, were preſented to the King by George Lord Clifford, Earl of Cumberland, who then had the honour to entertain his Majeſty. After the performing of this ceremony, they all joined the King's retinue, and attended his Majeſty up to London.

Sir

Sir Richard did not come to reſide at Whitby before the year 1608, where, about two years after, he purchaſed of the Archbiſhop of York, for the ſum of 1500 l. a leaſe of the tithes belonging to the Rectory of Whitby; which leaſe was from time to time afterwards continued to the Cholmley family till the year 1747, when a new leaſe of the ſaid tithes was granted to Dr. Hayter, then Biſhop of Norwich; by whoſe heirs the ſame were diſpoſed of, in the year 1764, after his deceaſe, for the ſum of 8000 guineas, to John Yeoman of Whitby, Eſq; who now continues in poſſeſſion of the ſame.

Soon after this, Sir Richard had a great loſs in the death of his Lady. Their eldeſt ſon Hugh being at Beverley School, and falling ſick of a fever, Mrs. Hotham had him brought to her houſe at Scorbrough, where his mother, going to attend him, caught the infection, and died thereof, anno 1611, being buried in the Chancel of Scorbrough church, near the remains of her ſon Richard, who died ſome years before her.

In the year 1613, Sir Richard Cholmley married his ſecond wife, Margaret, ſiſter to Sir William Cobb of Adderbury, in the county of Oxford, Knight, with whom he lived at Whitby till the year 1620, when being choſen a burgeſs in parliament for the town of Scarbrough, he went up to London with all his family, and continued there till January, 1622; about which time the King diſſolving the parliament, by his proclamation commanded every man to repair to his ordinary place of habitation; on which Sir Richard and his family returned again to Whitby.

About this time he married his eldeſt daughter, Margaret, to William Strickland, Eſq; of Boynton: Alſo, in the December following, his eldeſt ſon, Hugh, was married to Elizabeth the eldeſt daughter of Sir William Twiſden of Great Peckham, in the County of Kent, Knight and Baronet. In the year 1624 he was made high-ſheriff for the county of York, being the laſt year of King James, and the firſt year of King Charles; which truſt he diſcharged with much credit and reputation to himſelf; and afterwards lived at Whitby, as a private gentleman, till the day of his death, which happened on Sept. 23, 1631, when, according to his deſire, he was buried under a great blue ſtone in the Chancel of Whitby church, where his grandmother had been buried about thirty three years before, having a ſtately monument of marble and alabaſter erected afterwards over his grave, by his widow, with many beautiful decorations, and the following inſcription thereon.

"DEPOSITUM Richardi Cholmeley, Equitis aurati, Henrici Cholmeley, Equitis aurati, filii primogeniti, Richardi Cholmeley, Equitis aurati, Catharinâ Clifford filiâ Henrici Comitis Cumbriæ, Nepotis, Rogeri Cholmeley, Equitis aurati, Abnepotis, ab antiqua familia Cholmeleyorum, de Cholmeley in comitatu Ceſtrienſi oriundi: Viri tam exterioris corporis decore ſpectabilis quam potioribus animi dotibus adornati: Domini hujus manerii.

"Qui poſtquam per multos annos in his partibus Eirenarcha, deputatus locum tenentis Regis, et conſiliarius Domini Regis in partibus borealibus, ſub ſereniſſimis Regibus Jacobo et Carolo extitiſſet; tandem corpus ſuum huic

huic ſepulchro, ſpiritum vero ſuum immortalem Patri Spirituum piè placidèque reddidit, viceſimo tertio die Septembris, anno æræ chriſtianæ 1631, ætatis ſuæ 51.

"Ex Suſanna priore conjuge, filiâ Johannis Legard, Armigeri, reliquit Hugonem Cholmeley, Equitem auratum, et Henricum Cholmeley; præter Richardum in teneris defunctum, et Margaretam nuptam Gulielmo Strickland, Equiti; et Urſulam, Georgii Trotter, Armigeri, conjugem.

"Ex Margareta, filia Gulielmi Cob, Armigeri, conjuge poſteriore, reliquit Richardum et Gulielmum adhuc ſuperſtites.

"Margareta, relicta mæſtiſſima, conjugi amantiſſimo et benè merito p. poſuit."

Which epitaph may be thus engliſhed:

THE TOMB of Richard Cholmeley, Knight, eldeſt ſon of Henry Cholmeley, Knight, grandſon of Richard Cholmeley, Knight, by Katharine Clifford daughter to Henry Earl of Cumberland, and great-grandſon of Roger Cholmeley, Knight, deſcended of the antient family of the Cholmeleys of Cholmeley in the county of Cheſhire: A man equally remarkable for the gracefulneſs of his perſon, and the nobler endowments of his mind: Lord of this manor.

Who, after he had been many years a Juſtice of the Peace in theſe parts, a Deputy Lieutenant, and one of the King's Council for the northern provinces, under the moſt ſerene Princes James and Charles, at length devoutly and meekly reſigned his body to this tomb, and his immortal ſpirit to the Father of Spirits, on the 23d day of September, in the year of the chriſtian æra 1631, and of his age the 51ſt.

By Suſanna his firſt wife, daughter of John Legard, Eſq; he left Hugh Cholmeley, Knight, and Henry Cholmeley, beſides Richard, who died in his infancy; as alſo Margaret, married to Sir William Strickland, Knight, and Urſula, the wife of George Trotter, Eſq.

By Margaret, the daughter of William Cobb, Eſq; his ſecond wife, he left Richard and William yet living.

Margaret, his ſorrowful relict, erected this public monument to the memory of ſo affectionate and tender a huſband.

I cannot conclude this ſhort hiſtory of Sir Richard Cholmeley, without giving ſome account of his younger children, Henry, Richard, and William. And to begin with Henry: He was brought up at the Inns of Court, and afterwards married Katharine, daughter of Robert Stapylton, Eſq; of Wighill, and relict of Sir George Twiſden of Burley, in the county of York, Knight and Baronet. He became very eminent for his knowledge in the law, and was knighted by King Charles I. anno Domini 1641.

As for William, he died about two years after his father. And Richard, having Gromont left him, married Margaret daughter to Lord Pawlett, and relict to Dennis Rowles, Eſq; of Brickton, in the county of Devon. He, being a Colonel under King Charles I. in theſe unhappy civil wars which broke out between the ſaid King and his Parliament, was knighted for his good ſervices

vices at the taking of Exeter. Afterwards being made commander in chief of all the forces which beſieged Lyme, on a ſally from the town, where he ſhewed more valour than became a perſon in his ſtation, he received a wound, of which he died ſome few hours after. His death was not more lamented by the ſoldiers, of whom he was the idol, than by the King himſelf, who was very ſenſible of his merit, and who ſuffered ſo exceedingly by his fall, that it not only cauſed him to break up the ſiege, but alſo ſeems to have been the principal reaſon that hindered his Majeſty's affairs from ever more proſpering in that part of the nation. He left behind him iſſue, two daughters, and his Lady great with child of a ſon, called Richard, who died before he was a year old.

But it is time for us now to proceed, and give ſome account of Sir Hugh Cholmley, the eldeſt ſon and heir of Sir Richard. He was born at Roxby, near Thornton, on July 22, anno 1600; and, after receiving a liberal education at Beverley and at Cambridge, he was admitted in the inns of court, where he gained a conſiderable knowledge in the law. After he had continued there three years he was married (as we before obſerved) to Elizabeth, the daughter of Sir William Twiſden, in the county of Kent, Knight and Baronet, on Dec. 10, 1622; and in February, 1624, King James having ſummoned a parliament, he was, through the intereſt of his father, choſen a member thereof for the borough of Scarbrough: But the King dying that year, his ſon Charles, on ſucceeding to the throne, ſummoned another parliament, when Sir Hugh was again choſen a burgeſs for Scarbrough. After this parliament was convened, it was thought proper to have it adjourned to Oxford, on account of the plague's increaſing in London; and the King, being not well pleaſed with its proceedings, cauſed it to be diſſolved; on which Sir Hugh returned to Whitby, where he now fixed his reſidence till the year 1629, when having repaired (or rather rebuilt) Fyling Hall, he went to live therein, but met with a diſagreeable circumſtance in the death of his eldeſt ſon Richard, who was interred near the remains of ſome of his anceſtors in St. John's church at the lower end of Micklegate in York.

During the time of his reſidence at Whitby, he uſed his intereſt with the juſtices in the north-riding of Yorkſhire, and got the wooden bridge removed from Stone-Quay, where it had ſtood for many generations, to the place where it is now erected, framing a part in the middle thereof, which being drawn up with ropes, blocks, and pulleys, was to admit ſuch veſſels to paſs through as either belonged to or frequented the port of Whitby.

"But as nothing at Whitby near the Eſke could be ſafe without piers, he went up to London in Eaſter term, anno 1632, in order to procure ſomething for re-edifying the ſame; having, not without much difficulty and trouble, perſuaded the inhabitants of Whitby to petition the council-table for that purpoſe. There, by the Earl of Strafford's favour, (who was his diſtant relation) he procured liberty for a general contribution throughout England; but could not get any body at Whitby to employ themſelves in collecting the ſame; every one being ſo intent upon their own particular profits, that it made them neglect this public buſineſs; inſomuch that the affair had

moſt aſſuredly been dropt, if Sir Hugh had not prevailed upon two of his honeſt neighbours in Fyling-Dales to undertake the collection, viz. John Farſide, and Henry Dickinſon; by whom near 500l. was gathered, and all that part of the pier to the weſt end of the harbour was erected; which, in the judgment of all men, preſerved a great part of the town from being ruined by the ſea, and kept the harbour open; yet had not the townſmen ſo much public ſpirit as to beſtow any care or pains in order to preſerve the ſame, nor would they lay up a ſingle ſtone to fill up a breach when the ſea made one."

In this extract I apprehend that for *weſt end of the harbour* we ought to read *north end of the harbour*; ſince there is little reaſon to doubt but it was the burgeſs pier which was then built, and probably ſome ſtaithing below bridge on both ſides of the Eſke, to guard againſt the violence of the ſea. When the bridge was finiſhed, and made paſſable for carriages, the river was contracted by building ſtaiths at each end thereof; and theſe I am of opinion were continued down the harbour at the public expence, in the ſame manner as quays are frequently built in other maritime ports. It was about this time that many ſtrangers reſorting to Whitby, Sir Hugh ſold them a great number of ſmall tofts and crofts for 999 years, at an eaſy quit-rent, where new houſes and tenements were ſoon after built, and regular ſtreets formed. Among thoſe, that which ſeems to claim the firſt and chiefeſt place is Bridge-ſtreet, leading in a right line from the end of the bridge into Church-ſtreet.

And as a conſiderable diſadvantage had ever attended holding the market on the weſt ſide of the river, Sir Hugh found it neceſſary to remove the ſame to the place where it is now held on the other ſide of the Eſke: And on the weſt ſide of this new market-place he erected commodious ſhambles for holding a fleſh-market every week; contriving alſo every other convenience that was wanting, or could be deſired for a market, either by the inhabitants of Whitby, or by ſuch as weekly reſorted thither. This in a little time produced another new ſtreet, called Sandgate, leading from the weſt end of the bridge into the place where the ſaid market was to be held. Moreover, that the town of Whitby might be on a level with other neighbouring market-towns, he afterwards, in the year 1640, erected a tolbooth, or town's houſe, in the market-place, which, about the year 1660, Sir William his ſon alſo ornamented with a large new pendulum clock; and that clock to this day ſtill continues there, being the only public clock as yet belonging to the town of Whitby. In ſhort, Sir Hugh's whole behaviour was ſuch, during the time of his reſidence at Whitby, as not only beſpoke him the friend and patron, but alſo the continual benefactor and father of the town.

After his father's deceaſe, the manſion houſe at Whitby, which had been built of oak timber and plaſter by Sir Francis Cholmley, being grown ſo ruinous and decayed, that it was almoſt uninhabitable, he now built up all that part of it, which, in our days, makes the ſouthern wing of the houſe, with good ſubſtantial ſtone walls, nearly in the form it now ſtands. He alſo erected ſeveral new walls and outbuildings, planted many trees, and made ſuch other conveniences as greatly ornamented and beautified the place. After which he left Fyling-Hall, and once more came to reſide at Whitby, when

when he ſold the ſaid hall, and demeſne lands adjoining thereto, to Sir John Hotham; and at the ſame time, that his eſtate might not be diminiſhed, he purchaſed Aiſlaby and Dale-Town.

In thoſe days Sir Thomas Hobby was Lord of Hackneſs; who being diſſatisfied with Sir Hugh Cholmley, commenced a law-ſuit againſt him, in which he ſucceeded ſo ill, that he found himſelf under the diſagreeable neceſſity of applying to the Lord Keeper Coventry to make up matters between them, covenanting that his couſin Sydenham ſhould marry my Lord's grand-daughter, and that he would ſettle the Hackneſs eſtate upon them, which in right belonged to Mr. Dakins. Theſe propoſals being accepted, all differences were ſoon after compromiſed between Sir Hugh and Sir Thomas, by means of the aforeſaid Lord's mediation.

In the year 1634, great differences having aroſe in Whitby pariſh about the rates and proportions of aſſeſſment which the chapelries of Eſkedale and Ugglebardeby were to pay to the church of Whitby, and much money having been ſpent to no purpoſe about ſettling the ſame, it was at length agreed that all matters then in diſpute ſhould be referred to the arbitrament and determination of William Manwaring, Doctor of the civil law, and Andrew Agar, gentleman, both advocates indifferently choſen by the pariſhioners of Whitby. Theſe, in May, 1635, after hearing what all the parties had to alledge in their own defence, obliged the inhabitants of the chapelries of Ugglebardeby and Eſkedale, thence-forward to contribute yearly to the mother church of Whitby for books, ſurplices, and the communion table; but exempted them from all other things then in queſtion, ſo that they were no longer to bear any part in the charge for the ringing of bells on the coronation day and 5th of November, nor for waſhing of ſurplices, for ſweeping the church, or any ſuch like trivial things.—A record was made of this order, and it is ſtill carefully obſerved in Whitby pariſh.

In July, 1635, Captain Luke Fox died at Whitby, who is the firſt ſea Captain of whoſe death particular mention is made in our regiſters.

About June, 1637, two Holland men of war chaſed into Whitby harbour a ſmall pickroon or veſſel belonging to the King of Spain, which had in her only thirty men and two ſmall guns. One of the Hollanders had 400 men, and the other 200. The Captains, leaving their ſhips at anchor in the road, came aſhore in their long boats, in each of which was forty men, all armed with piſtols. The Dunkirker for more ſecurity got above the bridge, and placed his two guns upon deck, with all his men ready to defend themſelves and ſhip. Sir Hugh Cholmley having notice of this, and fearing they might do at Whitby as they had only a little while before done at Scarbrough, (where they landed 100 men, and took a ſhip out of the harbour belonging to the King of Spain) ſent for the Holland Captains, and ordered them not to offer any act of hoſtility; for that the King of Spain was our King's friend, and therefore entitled to protection in his harbours. After ſome expoſtulations, they promiſed not to meddle with the Dunkirker, if he offered no injury to them; againſt which, Sir Hugh gave the Dunkirker a ſtrict charge, and ordered him to truſt to the King's protec-

tion. But theſe Holland Captains coming down the hill into the town, ſent for the Dunkirk captain to dine with them, when they took occaſion to quarrel with him, and at the ſame time ordered their men to attack the Dunkirk ſhip, which they eaſily ſurprized, the Captain and moſt of the men being abſent. Sir Hugh, in his court-yard, hearing ſome piſtols fired, and being told that the Dunkirker and Hollanders were at odds, made haſte into the town, having only a cane in his hand, and a ſervant following him without any weapon, thinking his preſence would end all differences. When he came to the river's ſide, on the ſand, between the coal-yard and the bridge, he found the Holland Captain, with a piſtol in his hand, calling to his men, then on board the Dunkirk ſhip, to ſend a boat for him. Sir Hugh gave him good words, and held him in treaty till he got near him; when making a ſudden leap, he caught hold of his piſtol, and ſoon became maſter thereof, and alſo of the Captain himſelf: Yet not without ſome danger; for one of the men then on board the Dunkirker levelled a muſket at him; which he eſpying, turned the Captain between him and the ſhip, which prevented the muſket from being diſcharged. After Sir Hugh had taken the Captain, he cauſed a boat to be manned with a proper force to retake the ſhip, at whoſe approach the Hollanders fled away and ſought for refuge in their own ſhips. In the afternoon Sir Hugh intercepted a letter from the Hollanders in the road to their Captain, deſiring him to be of good chear, for at midnight they would land 200 men, and take him away with them. To prevent this, Sir Hugh ſent notice of their deſign to Sir John Hotham at Fyling-Hall; and between them they raiſed all the adjacent train-bands, to the number of 200 men; who, though but ill armed and badly diſciplined, kept guard all that night: And the Holland ſhips, after hovering two or three days before the harbour, hearing that their Captain was ſent to York, thought proper to leave the coaſt, and return home. Sir Hugh had the thanks of the privy-council for his behaviour; and the Captain, being ordered up to London, continued a priſoner there for near two years, when the Prince Palatine coming over obtained his releaſe.

In the year 1640, Sir Hugh was choſen a burgeſs for Scarbrough in that parliament called the Short Parliament, in which a great majority (and, among others, Sir Hugh) raiſing a violent outcry againſt the illegal method of levying ſhip-money, was one principal reaſon of its being ſo ſoon diſſolved by the King. Notwithſtanding this, Sir Hugh was created a Baronet of Great Britain on the 10th day of Auguſt, 1641. That ſame year the King having convoked a parliament, which was to meet in November, Sir Hugh was once more choſen a burgeſs therein for Scarbrough; when, being deluded with the ſpecious pretence of the Proteſtant religion's being in danger, and that the King's deſign was to ſubvert the rights and liberties of the nation, he oppoſed the meaſures of the court for ſome time, but was at length fully convinced that the parliament was reſolved not to act honourably with his Majeſty, and therefore thought proper to change his meaſures, by renouncing all connexion with its diſſatisfied members. Having then returned to his allegiance, he retired to Scarbrough caſtle, where he was ſoon after by the King

King confirmed as Governor; as alſo appointed a General in the northern parts of England, a Colonel of horſe, a Colonel of dragoons, and Judge of all marine affairs in every port on the Yorkſhire coaſt, between the Teeſe and Bridlington.

Here he continued his reſidence till the parliament had got poſſeſſion of every place in Yorkſhire, except the two caſtles of Pontefract and Scarbrough; when an armed force being ſent down to beſiege theſe two places, Sir Hugh made a moſt gallant defence for more than twelve months; he diſputed every inch of ground with the beſiegers, and bravely repulſed all their aſſaults. Furthermore, on the fall of the caſtle, when the whole was reduced almoſt to a heap of rubbiſh, and Sir John Meldrum, who commanded the ſiege, ſent propoſals to him mixed with menaces, he reſolutely withſtood the aſſault, ſlew Sir John, and beat off his troops with great loſs. During the whole ſiege his Lady continued with him in the caſtle, where ſhe was of great ſervice, by attending the ſick and wounded men in the garriſon. At length the place being ſurrendered on honourable terms, in the year 1645, Sir Hugh and his family went into exile, his eſtate was ſequeſtered, his manſion-houſe at Whitby converted into a garriſon, and plundered of every thing valuable therein by the Parliament's troops.

He continued in exile till the year 1649, when his brother Sir Henry Cholmley finding means to pacify the Parliament, he was again permitted to return to England, and, on certain conditions, once more ſuffered to enter into the poſſeſſion of his eſtate. Immediately after this he entered into partnerſhip with Sir Richard Criſpe, and his brother Sir Henry Cholmeley, and ſet about erecting an allum-work at Saltwick, in the neighbourhood of Whitby. This directly brought a great conflux of new inhabitants to Whitby, which conſiderably increaſed the town, ſo that more ſtaithing was built in ſeveral places, but more particularly above the bridge, to form barriers, not only againſt the influx of the ocean, but alſo againſt the violence of the river in land floods. And many of the new inhabitants, having purchaſed leaſes of Sir Hugh, erected houſes on or near this ſtaithing, wherein they lived commodiouſly and conveniently for the ſake of navigation and trade, which now began to flouriſh more and more every year. Hence in a little time was formed a new ſtreet called Grape-Lane, and hence alſo conſiderable additions were made to ſeveral other parts of the town.

Moreover, garden-ſtuff being an article but little known at Whitby in theſe days, Sir Hugh inclóſed two or three acres of ground, at a ſmall diſtance from the town, where he planted an orchard, to which he gave the name of *The New Gardens*, (an appellation by which it is ſtill generally known), from whence every thing that a garden commonly produces was, and ſtill is, in its proper ſeaſon, purchaſed at an eaſy rate by the inhabitants of Whitby.

In the year 1653, an act of parliament being made for appointing ſome particular perſon beſide the Miniſter to keep the regiſters in every pariſh throughout England, we find William Jones elected to that office at Whitby, on the 12th of October that ſame year, by the ſuffrage of a majority of the principal inhabitants, among whom were Sir Hugh Cholmley, and William Cholmley,

Cholmley, Eſq; his ſon. He continued in that poſt to the end of the commonwealth, and during all that time every marriage ceremony was performed by ſome neighbouring Juſtice of the Peace, after the intention of the parties had firſt been publiſhed at the Market-Croſs on three different market-days.

The chapel of Aiſlaby was by this time grown ſo ruinous and decayed, that it was judged improper to have divine ſervice any longer performed therein; and accordingly it was ſuffered to go down, and continued in ruins for about eighty years, but was afterwards again rebuilt by the charitable contributions of the gentlemen and other inhabitants in that neighbourhood, as will further appear in the courſe of this hiſtory.

In June, 1654, Sir Hugh Cholmley and his Lady went up to London to conſummate the marriage of their eldeſt daughter Ann, whom they had betrothed to Mr. Richard Stephens, eldeſt ſon of Nathaniel Stephens, Eſq; of Glouceſterſhire, with whom ſhe was married in the beginning of July: And in Auguſt that ſame year, Sir Hugh returning to Whitby, had his eldeſt ſon William married to Katharine the daughter of Lady Ann Hotham. About Michaelmas Sir Hugh went up again to London, where he ſpent the winter ſeaſon of the year; and in February returning to Whitby, he left his Lady behind him, who catching cold in the beginning of April, it produced a fever, of which ſhe died on the 17th of that month, and was buried at Eaſt Peckham church in Kent, near the remains of her father and mother, to the great grief of all that knew her, particularly of Sir Hugh her huſband, who was inconſolable, and ſpent the remaining two years of his life almoſt entirely among her relations, ſeldom coming at Whitby. He died November 20, 1657, when he was, according to his deſire, interred at Peckham, near the remains of his beloved Lady.

I have been the more particular in giving an account of this great man, not only becauſe he was poſſeſſed of many eminent and amiable qualities, but was alſo the father of Whitby, and firſt rendered it a maritime town. To draw any further encomium on him here would be unneceſſary, and therefore I ſhall only obſerve that he left behind him two ſons, William and Hugh, of whom more will be ſaid afterwards; and alſo two daughters, Ann and Elizabeth, the latter of whom never was married.

To give the reader ſome farther idea of the ſtate of Whitby during the times of the commonwealth, we muſt obſerve, that the number of inhabitants in that town, about the beginning of the commonwealth, ſeems to have been near two thouſand; and the number of ſhips then belonging to the port about twenty ſmall veſſels, which were all employed in the coaſting trade, and manned with 120 or 130 ſailors: But even then we find ſeveral ſhip-carpenters reſident in the town, beſides thoſe employed at ſea, who built not only ſloops and brigantines for the coaſting trade, but alſo boats and other little veſſels for the fiſhing trade. At the reſtoration of King Charles II. in May, 1660, the number of inhabitants in the town of Whitby ſeems to have been increaſed to near three thouſand, and the number of their ſhips to have been about thirty; which increaſe, both in the inhabitants and ſhipping, I apprehend was principally owing to the allum-works at Saltwick.

But

But things will yet appear in a clearer light, when we obſerve, that between Michaelmas 1653, and the reſtoration in May 1660, we have an account of the marriage of thirteen maſter-mariners belonging to Whitby, viz. Richard Grainge and Jane Ogle, in April 1654; John Dunnington and Ann Diſtance, in February 1655; Robert Noble and Jane Maſon, in February 1655; George Meggiſon and Ann Scarth of Staithes, in November 1656; Thomas Linſkale and Jane Green, in November 1656; Thomas Eaſton and Jane Ive, in December 1656; Edward Bell and Mary Sawgrave, in April 1657; William Newton and Katharine Hird, in September 1657; John Chapman and Ann Jackſon, in November 1657; William Newton and Margaret Cook, in January 1658; Iſaac Bower and Dorothy Webſter, in February 1658; James Watſon and Sarah Bower, in November 1658; and David Watſon and Elizabeth Croſby, in May 1659.

And to ſhew what other principal inhabitants then lived in the town and pariſh of Whitby, we find mention made of the marriage of Mr. Timothy Wigginer, Gentleman, and Miſs Adeline Cholmley, in January 1655; Thomas Strangwayes of South-Houſe (or South-Hall), Eſq; and Miſs Jane Robinſon, daughter to Luke Robinſon of Pickering, Eſq; in March 1655; Mr. William Fawcett of Sunderland, Gentleman, and Dorothy, daughter to Charles Fairfax of Dunſley, Eſq; in March 1656; Mr. William Burrows of Whitby, Phyſician, and Mrs. Ann Hope of Scarbrough, widow, in April 1656; Mr. Edmond Crathorne of Sleights, Gentleman, and Miſs Mary Cockerell of Eſkedale-Side, in June 1656; Mr. Michael Jefferſon of Kirkby-Stephen, Gentleman, and Miſs Elizabeth Cockerill of Staxby, in Auguſt 1656; Mr. Anthony Arrundell of Whitby pariſh, Gentleman, and Miſs Ann Gower of York, in April 1657; Mr. Richard Cholmley, Gentleman, (ſon of Sir Richard) and Miſs Mary Commins, in Dec. 1658; Mr. James Wilkinſon of Sneton-Thorpe, Gentleman, and Mrs. Iſabel Ruſſell of Hawkſgarth, widow, in July 1657; Mr. Francis Knags, Gentleman, and Mrs. Iſabel Couſins, widow, both of Whitby pariſh, in November 1658; William Jones, regiſter keeper at Whitby, and Hannah, daughter of Mr. William Simpſon, Miniſter of Lithe, in June 1660; ſoon after which the ſaid Jones was diſmiſſed from his office or Employment of regiſter keeper, and the pariſh books were returned to Samuel Croſsby, who was then Miniſter of Whitby.

In thoſe days the Fairfax family had great poſſeſſions about Dunſley, Thomas, the ſon of Charles Fairfax, being ſtyled Eſquire, even in the life-time of his father: Alſo the Buſshell family had a conſidreable eſtate in the neighbourhood of Ruſwarp, and likewiſe in the town of Whitby. But no remains of either family are now to be found in Whitby pariſh.

In the year 1657, a Gentleman of Whitby pariſh, called William Cleveland, left by will five pounds *per annum*, for ever, to put two poor children apprentices annually to ſuch particular trades as they might be deſirous to learn. And in the year 1668, another Gentleman pariſhioner, called William Wigginer, gave a large ſilver chalice to the church, to be uſed by the

the communicants there, which afterwards, in the year 1682, had this inſcription engraved thereon,——*non quid ſed quo animo.* 1682.

On the death of Sir Hugh Cholmley, in November 1657, he was ſucceeded in his title and eſtate by his then eldeſt ſon William, who (as we before obſerved) was born in December 1625, and married Katharine Hotham of Fyling-Dales, in Auguſt 1654; but this Lady dying in child-bed in June 1655, he afterwards, in April 1657, married for his ſecond wife Elizabeth, daughter to John Savill of Medley, or Meathley, in the county of York, Baronet, by whom he had iſſue one ſon, called Hugh, and three daughters, Elizabeth, Katharine, and Margaret; the eldeſt of which was afterwards married to Sir Edward Dearing of Surrenden-Dearing, in the county of Kent, Baronet; Katharine died young; and Margaret, the third daughter, was married to William Turner of Kirkleatham, in the county of York, Eſq; and was grandmother to the preſent Charles Turner, Eſq; of Kirkleatham.

Sir William Cholmley died in October 1663, and was buried at Eaſt-Peckham church in Kent, near the remains of his father and mother; and, ſome time after his deceaſe, his widow was married to Sir Nicholas Strode, Baronet.

Sir Hugh, only ſon of Sir William Cholmley, died in his minority, in July 1665, and was alſo buried at Eaſt-Peckham in Kent, being ſucceeded in title and eſtate by his uncle Hugh, who was the ſon of Sir Hugh, and born in July, 1632. In February, 1666, this Sir Hugh married the Lady Ann Compton, eldeſt daughter of the honourable Spencer Compton Earl of Northampton, and was not long after that by King Charles II. appointed Governor of Tangier in Africa, where he reſided many years, and had the direction of building the Mole there. That Monarch, being well ſatisfied with the ſervices done him by Sir Hugh in this part of the world, was pleaſed to grant him a royal charter, in the year 1674, for many liberties, franchiſes, and privileges, which his deſcendants ſtill continue to enjoy.

In this charter Charles, after confirming to the Cholmley family all thoſe rights, liberties, and privileges that had heretofore been granted to the Abbots of Whitby by the charters of his predeceſſors, the Kings of England, in former ages, and even by the charter of King Henry VI. proceeds in the following manner:

——" Know ye alſo further, that we, as well for and in conſideration of the good, real, and acceptable ſervice already performed, and hereafter to be performed for us, by the aforeſaid Hugh Cholmley, as for divers other good cauſes and conſiderations us hereunto ſpecially moving, out of our more abundant and ſpecial grace, and from our certain knowledge and mere motion, have given and granted, and by theſe preſents, for ourſelves, our heirs and ſucceſſors, do give and grant to the aforeſaid Hugh Cholmley, and his heirs, all the goods and chattels, as well of his homagers and the homagers of his tenants (whether poſſeſſing intirely or in part, reſident or not reſident, as of any others whatſoever, as well within the ſite of the ſaid Monaſtery,

Monaſtery, and within the lordſhip or manor of Whitby aforeſaid, as within all the other lands, tenements, and hereditaments of the ſaid Hugh Cholmley, that were heretofore part or parcel of the ſaid late Monaſtery, or of the lordſhip or manor aforeſaid,) that are fugitives, felons, condemned perſons, or ſuch as may be condemned; waifs, or ſuch as may be waived; attainted perſons, or ſuch as may be attainted; convicts, or ſuch as may be convicted; placed in exigences, or ſuch as may be placed in exigences: As likewiſe the goods and chattels of all other felons, convicts, attainted or outlawed perſons, for any felony whatſoever: As alſo all and ſingular deodands, goods and chattels that are waif or ſtraif, and found treaſure: Moreover all other goods and chattels, howſoever confiſcated or forfeited, or which may hereafter be confiſcated or forfeited, for ſuch felonies or offences as would or ought to cauſe theſe goods and chattels to be confiſcated, forfeited, or loſt to us, our heirs or ſucceſſors, happening or ariſing within the ſite of the ſaid Monaſtery, or within the lordſhip, the lands, tenements, or hereditaments aforeſaid, or within the liberties, limits, bounds and precincts thereof, or any part thereof, by any accident whatſoever: And alſo all and all manner of bills, bonds, obligations, and other writings and deeds made for the payment or ſecurity of any ſum or ſums of money; with all and all manner of credits whatſoever due to theſe homagers and tenants, reſident or not reſident, who are ſuicides, murderers, felons, fugitives; condemned perſons, or to be condemned; waived, or to be waived; attainted, or to be attainted; convicted, or to be convicted; placed in exigences or to be placed in exigences; or which ariſe and may be due from any other felons, convicts, outlawed perſons, or ſuch as may be outlawed for any felony whatſoever: And alſo all fines for licence of making agreements, with all and all manner of amercements, redemptions, iſſues of jurors, and all other fines and iſſues, forfeits or which may be forfeited, as well before the Juſticiaries of us, our heirs and ſucceſſors, appointed or to be appointed, as Commiſſioners and Juſtices of oyer and terminer for trying cauſes by juries at the aſſizes, for taking inquiſitions, and for making gaol deliveries, as before other Juſtices of the Peace of us, our heirs and ſucceſſors, or before any other Juſticiaries, officers, or ſervants of us, our heirs and ſucceſſors, happening, chancing, and ariſing within the manor or lordſhip, the lands, tenements, and hereditaments aforeſaid, or any part thereof; and to take, ſeize, and retain all and every of thoſe goods and chattels, amercements, iſſues, and other premiſes aforeſaid, for the uſe and behoof of the ſaid Hugh Cholmley, his heirs and aſſigns, although theſe goods and chattels, amercements, iſſues, and other premiſes as aforeſaid, have been firſt ſeized by us, our heirs and ſucceſſors. To have, hold, and receive theſe goods and chattels, with all and all manner of ſums of money, fines, amercements, and iſſues as aforeſaid, and all and ſingular the premiſes above granted, or mentioned to be granted in theſe preſents, for the aforeſaid Hugh Cholmley, his heirs and aſſigns, and for the only proper uſe and behoof of him the ſaid Hugh Cholmley, his heirs and aſſigns, for ever, without rendering, yielding, or paying any revenue or return whatſoever for the ſame to us, our heirs and ſucceſſors. And further, out of our more abundant grace, for ourſelves, our

heirs and ſucceſſors, we give, grant, and confirm to the aforeſaid Hugh Cholmley, and his heirs, the ſea-port and ſea-wreck through all his manor or lordſhip at Whitby aforeſaid, and in and upon all his lands, tenements, and hereditaments, ſituate there as aforeſaid; with all the liberties, cuſtoms, and privileges pertaining to a ſea-port. And moreover, of our ſpecial grace, and from our certain knowledge and mere motion, we give, grant, and for ourſelves, our heirs and ſucceſſors, confirm to the aforeſaid Hugh Cholmley, and his heirs, that he the ſaid Hugh, and his heirs, ſhall have for ever, by their bailiff or bailiffs, all executions, and the return of all writs, mandates, orders, and bills from us, our heirs and ſucceſſors, or from our ſheriffs and other ſervants whatſoever, to be executed in or upon all or any parts of the manor, lordſhip, lands, tenements, and freehold before mentioned, belonging to the Monaſtery of Whitby aforeſaid; ſo that no ſheriff, bailiff, or any other ſervant of ours, may come in, or by any means enter, into the manor or lordſhip, the lands, tenements, or freehold aforeſaid, to perform any office there, unleſs on the failure of the ſaid Hugh Cholmley, his heirs or aſſigns, or his bailiff or bailiffs. And further, of our more abundant and ſpecial grace, and from our certain knowledge and mere motion, we have given and granted, and by theſe preſents, for ourſelves, our heirs and ſucceſſors, we give and grant to the aforeſaid Hugh Cholmley, that he, his heirs and aſſigns, among other things, ſhall for ever hold, poſſeſs, and enjoy, in and upon the manor or lordſhip, the lands, tenements, and freehold aforeſaid, and every part and parcel thereof, as many, as great, and ſuch courts-baron, courts-leet, and views of frank-pledge, chattels, waifs, ſtraifs, eſcheats, reliefs, herriots, and all other rights, juriſdictions, franchiſes, liberties, cuſtoms, profits, commodities, advantages, emoluments, and hereditaments whatſoever, and in as full, free, entire, and ample a manner and form as William Cholmley, Baronet, brother of the ſaid Hugh Cholmley, or Hugh Cholmley, Knight and Baronet, father of the ſaid Hugh, or as any Abbot or Abbots and Convent of the ſaid late Monaſtery of Whitby, or any other or others, heretofore holding, poſſeſſing, and enjoying the aforeſaid ſite, manor or lordſhip, the lands, tenements, freeholds, hereditaments, and other the premiſes, or any part or parcel thereof, ever held, poſſeſſed, and enjoyed, or had a right to hold, poſſeſs, and enjoy the ſame, on account, or under pretext of any charter, gift, grant, or confirmation, made, given, granted, or confirmed by us, or any of our progenitors or predeceſſors, or on account or under pretext of any lawful preſcription, uſage, or cuſtom, heretofore held or uſed, or by any other lawful right or title whatſoever. Laſtly, we will, and by theſe preſents, for ourſelves and our ſucceſſors, we grant to the ſaid Hugh Cholmley, his heirs and aſſigns, that theſe our letters patent, grants, and confirmations, or an enrolment thereof, ſhall be by all our ſubjects in every thing well, firmly, ſubſtantially, and effectually received in law, and held, conſtrued, and adjudged in the moſt favourable ſenſe for the benefit and advantage of the ſaid Hugh Cholmley, his heirs and aſſigns, in every thing reſpecting us, our heirs and ſucceſſors, in all our courts and elſewhere, without any further confirmation, licence, or toleration, to be procured or obtained

obtained from us, our heirs or ſucceſſors, notwithſtanding the badly or uncertainly naming or mentioning the aforeſaid ſite, manor or lordſhip, and the lands, tenements, hereditaments, and other premiſes by the above preſents granted and confirmed, or mentioned to be granted and confirmed, or any part or parcel thereof, and notwithſtanding the badly or not fully reciting or mentioning the ſeveral charters and letters patent recited or referred to in theſe preſents, there being no particular mention made therein of the certain or true yearly value of the premiſes, or any part of them, or of any other donations or grants formerly made by us, or any of our progenitors or predeceſſors, to the aforeſaid Hugh Cholmley, Baronet; and there not being any ſtatute, act, ordinance, proviſion, proclamation, or reſtriction whatſoever, heretofore made, enacted, ordered, provided, or publiſhed, to contradict or oppoſe what is now given and granted. In teſtimony whereof we have cauſed theſe our letters to be made patent. Witneſs ourſelf at Weſtminſter, the 5th day of December, in the 26th year of our reign.

"By a writ under the privy ſeal.

"PIGOTT."

After the return of Sir Hugh from Tangier, he built up all the north ſide of the manſion-houſe at Whitby in the compleat manner wherein it ſtill remains, with the ſtatue of a Gladiator on the north ſide thereof. This will long be a monument of his great knowledge in architecture, while it proves King Charles to have been by no means void of genius, ſince he knew, when there was occaſion, how to make choice of ſuch men as had abilities to ſerve him. He died at Whitby, January 9, 1688, and his Lady at the ſame place, on May 26, 1705, both of them being buried in the chancel of Whitby church, near the remains of Sir Richard Cholmley.

They had iſſue two daughters, Mary and Ann, the latter of whom died when only four days old; and Sir Hugh foreſeeing a failure of male iſſue, in order to preſerve the name of Cholmley at Whitby, took care to marry his only daughter Mary, who was born in September, 1667, to her couſin Nathaniel Cholmley, Eſq; of the city of London, by whom ſhe had iſſue two ſons and one daughter, viz. Hugh, who was born in Auguſt, 1684; John, born in July 1686, (who was afterwards a Colonel under the Duke of Marlborough in Flanders, and who died at Whitby in March, 1724;) and Ann, a poſthumous daughter, who was born in September, 1687, and died when only three years and a half old.

Nathaniel Cholmley, Eſq; died April 20, 1687, and was interred in Whitby church; and ſome time after his deceaſe his widow married ——— Stephens, Eſq; of Groveſend in Glouceſterſhire, and died in a very advanced age on April 2, 1748.

About the year 1669, we find a branch of the Blackburn family firſt mentioned as living at Whitby, who came from Sneton, where their fore-elders had long reſided. Alſo about the year 1670, it appears that Robert Boulby, the anceſtor of the preſent Boulby family, firſt ſetled at Whitby: And about

the year 1680, George Middleton, the fore-elder of the preſent family of Middletons, firſt came to ſettle at Whitby.

We have already informed the reader that Robert Remington, on being appointed Chaplain to Sir Hugh Cholmley, in the year 1639, reſigned the curacy of Whitby. He afterwards went with that family into exile, from whence we have no account of his ever having returned. In his ſtead George Conyers, ſon of George Conyers of Fyling-Dales, was appointed Miniſter of Whitby, who married very ſoon after his coming to Whitby, and continued there till the year 1654, when either dying, or being removed to a better living, we find he was ſucceeded by John Eyes; and this gentleman alſo had a wife and family, but dying in the year 1659, Samuel Croſby was appointed Miniſter of Whitby in his ſtead. He likewiſe appears to have had a wife and family, but lived no longer than the year 1669, and had for his ſucceſſor Joſeph Wood, who continued to do duty at Whitby till October 1676, when dying, Luke Bagwith, a native of Whitby pariſh, was by the Archbiſhop of York appointed his ſucceſſor in November that ſame year. Mr. Bagwith continued Miniſter of Whitby till about Chriſtmas, 1688, when dying, he had for his ſucceſſor William Burton, who, immediately after his coming to Whitby, married the daughter of Mr. Anthony Arrundell, a gentleman pariſhioner, in honour of whom he called his eldeſt ſon Arrundell. He appears to have had ſeveral children, and died at Whitby in the year 1699; to whom ſucceeded, as Miniſter there, Daniel Oughton, A. M. who never was married, and continued to do duty at Whity for about five years and a half, when dying, he was ſucceeded in February, 1705, by John Robinſon, A. M. This gentleman was for many years Curate of Whitby, and held alſo the living of Sneton, keeping under him a Curate to do the duty there, and to be his aſſiſtant at Whitby. He was married, and had two ſons, both of which (if I miſtake not) he brought up clergymen. He died in the year 1734, when Thomas Farſide, a gentleman born not far from Whitby, was, through the intereſt of Hugh Cholmley, Eſq; appointed his ſucceſſor; but he dying after only two years reſidence at Whitby, was ſucceeded in the year 1736 by James Borwick, who held alſo the rectory of Eaſt Heſlerton, where he lived ſeveral years, and kept a Curate under him to do the duty at Whitby; but finally ſettling at Whitby, he continued there all the latter part of his life. He was married, and had ſeveral children, the eldeſt of whom, called William, now practiſes the law in London. He died in the year 1767, when Robert Darley Waddilove, A. M. was appointed Miniſter of Whitby in his ſtead. This gentleman, in the year 1771, going as Chaplain to Madrid in the ſuite of Lord Grantham, the Engliſh Ambaſſador, ſtill continues his reſidence there. At his ſetting out for Spain, he left a Curate to ſupply his place at Whitby; but, in the year 1773, embraced the opportunity of exchanging his living at Whitby for that of Topcliffe near Boroughbridge, then poſſeſſed by the Rev. Thomas Eglin, which gentleman ſince that time has been Miniſter of Whitby, keeping under him two Curates to do duty at Whitby, or elſewhere, as occaſion requires, and in the ſummer ſeaſon of the year he generally reſides at Whitby himſelf.

Having

Having now finiſhed our account of the ſucceſſion of the Miniſters of Whitby, we muſt return back to reſume other parts of the hiſtory, where we are next to obſerve, that before the Revolution many of the inhabitants of Whitby ſeem to have had a toleration for coining their own copper money, ſince ſeveral halfpence and farthings are yet to be met with among us, having the makers names thereon, as *Henry Sneton, his halfpenny*; *John Hird, his farthing*, &c. a thing which they never would have avowed ſo openly, if the law had not permitted it.

As Whitby is no borough town, nothing material happened there at the time of the Revolution in the year 1688: But an event ſomething extraordinary happening at the neighbouring town of Scarbrough, I muſt here beg the reader's leave to make a ſhort digreſſion, in order to give ſome account thereof.

King James II. uſing his utmoſt endeavours to reſtore Popery throughout all his dominions, cauſed a declaration to be publiſhed, on April 27, 1688, for liberty of conſcience, ordering the ſame to be read in every Proteſtant church in England. A copy of this being ſent down to the Mayor of Scarbrough, he, in order to ſhew his loyalty and zeal for the government, commanded the Miniſter of Scarbrough to read the ſame publicly at church, in the deſk or pulpit, on a Sunday: But the conſcientious Miniſter, being no friend to Popery, refuſed to obey his orders, on which the Mayor caned him in the reading-deſk during the time of divine ſervice: And that behaviour being diſliked by ſome of the congregation, particularly by a Captain in the army, who was then at church, that officer took the liberty next day to ſend for the Mayor to the old Bowling-Green, in order to catechiſe him: But he taking no notice of this meſſage or ſummons, the Captain diſpatched a file of muſqueteers to enforce his attendance; who having brought him to the Bowling-Green, he was obliged to undergo Sancho Pancha's rude diſcipline of being toſſed in a blanket: Soon after which the exaſperated Mayor ſet out for London, in order to obtain redreſs, by complaining to the King; on which his adverſary thought proper to leave Scarbrough, and to abſcond: But the death of the Mayor while on his journey, and the abdication of King James ſoon after, delivered the officer from all his fears, and put an end to any further proſecution. However, King William, to ſhew his reſentment of the rude behaviour the Miniſter had met with at church, ſuffered the town of Scarbrough no longer to be governed by a Mayor, but in his ſtead ordered two Bailiffs to be choſen annually by the Corporation, under whoſe direction and government it has ever ſince continued. But whether this gentleman was the firſt and only Mayor who ever preſided in that borough, or whether he was appointed on purpoſe by King James II. as a proper tool to aſſiſt in introducing Popery, I will not venture to aſſert; only it ſeems to me certain that he was a very popular man, ſince ſeveral of the company who were preſent when that event happened on the Bowling-Green, ſcrupled not, many years after that, to ſay "Scarbrough had never ſince been ſo well governed as when under the direction of that Mayor."

In

In the year 1690, the number of inhabitants in Whitby was near 4000; and it appears from Dr. Gibſon's firſt edition of Camden's Britannia, that there was then ſixty ſhips of eighty tons burden or upwards belonging to that port. Commerce was in thoſe days much interrupted in the northern ſeas by the great efforts the French King was making to reſtore King James II. to the throne of Great Britain, and by the ſhips of war he always had in Dunkirk. Lewis ſtrove, but all in vain, to gain a ſuperiority at ſea; he found himſelf unable to cope with the united fleets of England and Holland; and, notwithſtanding his utmoſt endeavours to the contrary, not only the trade of Whitby in particular, but alſo that of Great Britain in general, continued in an increaſing and flouriſhing condition.

It is true ſome few captures were made from the inhabitants of Whitby, by ſuch privateers, and other French ſhips of war, as now and then hovered upon our coaſt; but theſe loſſes were ſoon made up by new ſhips launched from the ſtocks; and the frigates of his Britannic Majeſty were very alert in keeping the ſeas clear of enemies, and in preventing all hoſtile attempts by land. Some of theſe were almoſt continually cruizing on the Yorkſhire coaſt, and frequently approached the port of Whitby, to gain what intelligence they could, in order to protect the coal trade. And with this deſign the Milford-Galley having come to an anchor in Whitby-road, in July, 1692, the Lieutenant, with four of the ſhip's crew, were diſpatched aſhore; but in approaching the harbour the boat was overſet by the ſurf of the ſea, and they were all drowned; but being afterwards taken up, they were interred in Whitby church-yard.

Moreover, cannons were planted in many places all along the ſhore, to annoy the enemy whenever there was any apprehenſion of their landing. One of theſe was placed on Whitby cliff, on the weſt ſide of the harbour, which an inhabitant of Whitby, called Thomas Ratcliff, endeavouring to fire at the enemy, in April, 1694, it burſt, and killed him upon the ſpot. Alſo at the ſame time Henry Jefferſon, and Ann his wife, of Cotehouſes, were both ſlain at Saltwick allum-works, where another cannon was placed for defending the ſea coaſt.—Such accidents as theſe frequently happen in time of war, and are even common in time of profound peace, in large maritime towns.

Before the diſſolution of our Monaſtery, the Abbots of Whitby for many ages had a foreſt or park in Fyling-Dales, where their fallow deer were kept; (which park now makes a conſiderable part of thoſe demeſne lands belonging to Sir Charles Hotham, Baronet): But after the Abbey lands came into the poſſeſſion of Sir Richard Cholmley, this park was neglected, and the walls thereof ſuffered to go to ruin; and inſtead thereof a new park was formed by his deſcendants in the neigbourhood of Whitby, (the walls and traces of which are yet viſible) where deer, and every thing elſe uſually found in a park, was kept and preſerved. But after the deceaſe of Sir Hugh Cholmley, in the year 1688, the affairs of that family went conſiderably to decay; every thing being under the management of women, their ſtewards, and theſe employed

under

under them, being cunning and designing men, took advantage of their weakness, and endeavoured to spoil and prey upon the estate and effects belonging to the family; one part was made away with after another, till not only a major part of the farms, but even of the park itself, was either sold off, or sequestered, and no longer regarded as the inheritance of its antient owners. Hence it came to pass that after the death of Christopher Wise, the last game-keeper who resided at the Lodge, no other being appointed to succeed him, all the deer were soon after destroyed, and the park was entirely broke up. The allum-works also being very indifferently managed, instead of bringing in an annual revenue, were a continual rent-charge and expence to their possessors; so that after having been wrought for about fifty nine years, it was now judged most advisable to throw up and intirely drop the same; a resolution which was put in execution about the year 1708. These things happened during the minority of Hugh Cholmley, Esq; but after that gentleman came of age, affairs began to resume a different appearance, and by his prudent conduct and management the family were once more raised to their primitive dignity and lustre in every thing but the title, which expired, anno 1688, with Sir Hugh Cholmley the younger.

Whitby piers were as yet very deficient, there being no bulwark raised against the sea beyond the Scotch-Head and Burgess-Pier; without these the sand warped up in great abundance, and rendered the entrance into the harbour extremely difficult and dangerous; no vessels of burthen could go either in or out, especially with any part of their loading in; which was a thing very prejudicial, not only to the town of Whitby and all the country adjacent in particular, but also to the whole northern navigation in general; since for want of a proper place of refuge many lives were lost near the said port in stormy and tempestuous weather; also during the late reign of King William several ships had been taken by the enemy, within sight of Whitby, which might have been saved if there had been proper piers erected there.

Moved with these considerations, the parliament of England, in the year 1702, passed an act, whereby all ships, (except such as belonged to the town of Great-Yarmouth) that should load or ship any coals at the port of Newcastle-upon-Tyne, or at Sunderland, Blithe, Seaton-Sluice, Culler-Coates, or any other place reputed to be a member of the said port of Newcastle-upon-Tyne, after the first of May, 1702, for a term of nine years thence next ensuing, were made liable to pay one farthing per chaldron for the same, towards repairing and rebuilding the piers belonging to the town of Whitby: And for every chaldron of coals, landed within the haven or piers of the said port of Whitby, six pence: And for every weigh of salt, landed or delivered there, two shillings: And for every quarter of malt, corn, or grain, four pence: And for all foreign goods imported in English bottoms, three pence per ton; and for such goods imported in foreign bottoms, six pence per ton: And for all butter shipped off from Whitby, one penny per firkin: And for all dried fish and mudd-fish shipped off there, one penny per score: And for all barrelled fish so shipped off, three pence per barrel: Likewise every English ship or vessel, which should enter within the piers of the said port, was

to

to pay one ſhilling, and moreover, four pence for each of her tops; but every foreign ſhip, entering as aforeſaid, was to pay two ſhillings, beſides four pence for each of her tops. The ſaid moneys were to be paid at the ſhipping and landing the aforeſaid coals and merchandize reſpectively, unto the Lord or Lady of the manor for the time being, to Ralph Boys, Gideon Meggiſon, Henry Stonehouſe, Henry Linſkell, John Wilkinſon, Matthew Thompſon, John Langſtaffe, Leonard Jefferſon, and William Fotherley, who were appointed truſtees for receiving the ſame, but were not to have more than ſix pence in the pound for their trouble. The truſtees were empowered to mortgage the ſaid duties, if they thought proper; but ordered not to pay more than ſix pounds per cent. intereſt for any money they ſhould borrow on the ſame. And for keeping the harbour clean, it was alſo ordered by the ſaid act, That no perſon or perſons whatſoever ſhould preſume to throw or empty any ballaſt, duſt, aſhes, earth, rubbiſh, ſtones, or any other annoyance whatſoever, into the ſaid harbour, under the penalty of forfeiting a ſum not exceeding forty ſhillings, to be recovered or levied by the ſaid truſtees, who were to apply the ſame towards building and repairing the piers aforeſaid.

Such was the ſubſtance of the firſt act of parliament paſſed for the building of Whitby piers; wherein it was alſo enacted, That if the before-mentioned duties ſhould raiſe the ſum of 6000 l. over and above the neceſſary charges for collecting the ſame, and intereſt for ſuch money as ſhould be borrowed at ſix pounds per cent. before the expiration of nine years, then the duty of one farthing per chaldron upon coals ſhould ceaſe and determine.—But ſo far was this from happening, that in the year 1709, the duties being very conſiderably mortgaged, and much of the work that was at firſt propoſed remaining as yet undone, the truſtees found themſelves under a neceſſity of again applying to parliament, which by a new act continued the time ſtated in the former act till the firſt day of May, 1723.

With the money raiſed by theſe two acts the eaſt pier was built, extending from the eaſtern cliff almoſt 200 yards weſterly, to the very channel of the river Eſke; and this was a great ſecurity to the town and port of Whitby, as it entirely curbed the violence of the waves that till then, whenever the wind was at N. E. had always flowed over the rock with a ſtrong current right into the harbour. Alſo on the weſt ſide of the harbour, a ſtaith was erected, the Scotch-Head was built, and a weſtern pier was formed, extending more than 200 yards towards the ſea, and running all along contiguous to the channel of the river Eſke. This laſt-mentioned pier was certainly of great advantage to ſhips either going into or out of Whitby harbour; tho' the ſea coming paſt its north end, threw a vaſt quantity of ſand into the Collier-Hope, and even rendered the channel of the river very narrow.

However, every thing that was done being repreſented to parliament in the year 1720, they ſeemed well ſatisfied therewith, and paſſed an act that winter to make all the duties mentioned in the firſt act perpetual, except the duty of one farthing per chaldron upon coals; appointing the Lord of the manor of Whitby for the time being, John Burdett, Eſq; Gideon Meggiſon,

Meggiſon, Gentleman, Henry Stonehouſe, Reuben Linſkill, Thomas Linſkill, John Hird, John Smallwood, Robert Linſkill, and Joſeph Linſkill, to be truſtees for the ſaid duties; who, with the money thence ariſing, were to keep Whitby piers in repair, in the manner and form they were then built.

Notwithſtanding all this, the ſand that daily warped into the harbour around the weſt pier, and the bed of ſand which continually lay at that pier head, were evils tha called aloud for redreſs, as they ſeemed to threaten the utter deſtruction and ruin of the harbour, nor were to be removed not even by land floods. To remedy this, a deſign was formed to lengthen the weſt pier, and to extend it out ſo far towards the north till its head ſhould ſhelter the eaſt pier from the run of the ſea ſetting along the coaſt; a ſcheme than which none could ever have been better contrived for increaſing the flow of water into Whitby harbour, and removing thoſe huge beds of ſand which then lay every where about the pier. Therefore, in the year 1735, application was made to parliament, and an act obtained, for reſtoring the duty of one farthing per chaldron on all coals ſhipped to the northward, as it had formerly been granted in the year 1702; to commence on the firſt day of June, 1735, and to continue from thence forward for a term of thirty one years. The weſt pier was to be lengthened, and the truſtees were continued which had been appointed by the authority of the act paſſed in the year 1720, veſted with the ſame power as had been granted them in the years 1702 and 1709; with leave to mortgage the ſaid duties, if they thought proper; but not to give more than five pounds per cent. intereſt for any money they borrowed thereon. Alſo they were empowered, for ever, to appoint ſome perſon or perſons who ſhould compel all ſhips and veſſels within Whitby harbour to anchor and moor in proper manner and places; and the maſter of every ſhip or veſſel who diſobeyed the orders of ſuch perſon or perſons as they appointed, was, on his refuſal or contempt, to forfeit a ſum not leſs than forty ſhillings, and not exceeding five pounds; to be levied by a warrant granted by any three of the ſaid truſtees, and applied to the uſe of Whitby piers.

Authorized by this act of parliament, the truſtees employed an able engineer, and ſeveral other good workmen, by whom the weſt pier was lengthened 100 yards, which terminated with a ſtrong circular head, whereon was erected a commodious battery, with a good parapet, and embraſures for five pieces of cannon, planted there to guard the entrance of the harbour, and alſo to defend ſuch ſhips from the enemy as might come to ſeek refuge in Whitby road. To ſtrengthen which, another battery was alſo raiſed in the eaſt cliff, at the end of Haglathe, where three pieces of cannon were placed. As likewiſe a third battery of five cannon was planted very properly, behind embraſures made for that purpoſe, near the Scotch-Head. And theſe batteries, ever ſince their firſt erection, have always ſtruck ſuch a terror into the enemy during the time of war, that not one of their privateers, or ſhips of war, have ever dared to approach our port.

After this the eaſt pier was lengthened about thirty yards, and ſome parts both of that and the weſt pier were repaired or built anew; ſo that the whole was not only ſerviceable, but alſo ornamental to the harbour: The channel alſo was greatly bettered, by removing the rock and ſuch quarries of ſtone as lay in or near the mouth of the harbour; which had ſo good an effect, that it encouraged the inhabitants of Whitby, and others, to build in the ſaid harbour much larger ſhips than what had formerly been uſed there.

By puſhing things on thus vigorouſly the truſtees, in the year 1750, found themſelves clogged with a debt of 6200 l. which it was believed the duties would hardly pay off during all the remaining part of the time the act had then to run. But much work was yet wanting to be done; for both the eaſt and weſt piers had given way, and were ſhrunk in many places; it was neceſſary, therefore, that theſe places ſhould be properly repaired or rebuilt: Alſo the communication between the town and weſt pier was in a great meaſure interrupted every day at the time of high-water; and to remove this inconvenience it was abſolutely neceſſary a good ſtaith ſhould be erected, and a ſufficient way made from the end of Hackerſgate to the weſt pier, on which way proper mooring poſts for ſhips might be placed. Moreover, it was propoſed to take away and remove ſome more of the ſtone rock that lay not only at the entrance, but alſo at ſeveral other places within the harbour. To remedy all theſe grievances, and make every thing compleat, the parliament of England was again applied to, and a new act obtained, whereby an additional duty of one farthing per chaldron was laid on all coals taken in or loaded in any ſhip or veſſel (theſe belonging to Great-Yarmouth only excepted) at the port of Newcaſtle, or any place that was reputed to be a Member of that port, after the firſt day of June, 1750, for a term of thirty one years thence next enſuing; which duty was ordered to be paid at the ſhipping or loading of the ſaid coals, and was by the truſtees to be applied for the uſes and purpoſes already ſpecified. Theſe truſtees were authorized to purchaſe ſuch houſes, tenements, buildings, erections, and grounds as were proper and neceſſary for making an effectual ſtaith, and convenient way, from the weſt pier into the town of Whitby; and if any of the owners there would not agree for the ſale of their premiſes to the ſaid truſtees, then any two or more juſtices of the peace for the north-riding of Yorkſhire were empowered to impannel a jury of freeholders, who ſhould, upon oath, ſet ſuch a value upon theſe premiſes as they thought to be reaſonable and proper, which the owners were obliged to accept; and upon paying or depoſiting this value, the truſtees were at liberty to pull down, take away, uſe, or apply whatever was upon theſe lands and grounds, in order to make the ſaid way convenient, and to improve the harbour of Whitby for the navigation of ſuch ſhips and veſſels as might reſort thither. Alſo the ſaid truſtees were authorized to appoint a harbour-maſter, with a ſalary of twenty pounds a year, who was to order and command the maſter of every ſhip or veſſel coming into Whitby-harbour to lie, anchor, moor, and ballaſt his ſhip at ſuch place or places as he thought proper to direct; and, on contempt or diſobedience of his orders, the maſter of any ſuch

ſhip

ſhip or veſſel ſhould forfeit a ſum not exceeding five pounds, to be levied by a warrant under the hands of any two of the ſaid truſtees, and applied by them to the uſe of Whitby piers and harbour.

After obtaining this act, the truſtees, according to what was propoſed therein, proceeded to take up much of the ſtone rock which yet remained near the mouth and in other parts of the harbour, by which means the channel was conſiderably deepened. Alſo they rebuilt about 220 yards in length of the old part of the weſt pier, in a very ſubſtantial and effectual manner; beſides making many other additions, alterations, and amendments elſewhere; which had ſo good an effect that, in the year 1765, the ſand being almoſt every where totally ſcoured away, the water was ſo much deepened in the harbour, at the time of high water, that the general outcry now was, not only about the hazard thoſe ſhips were in that lay below the bridge in ſtormy weather, but alſo about the danger that, in ſuch weather, threatened the town from the violence of the waves then produced by the great influx of the ocean. As for the ſhips, they could always be laid ſafe, by hauling them above the bridge; but it was not ſo eaſy a matter to ſecure the town, where ſtaiths, and even houſes, frequently gave way. It became neceſſary, therefore, to uſe means whereby the rapidity of the ſea might be curbed, which ſometimes rolled in a manner terrible to behold up Whitby harbour; but nothing was to be done unleſs the piers were ſupported in a moſt ſubſtantial manner; for if any conſiderable breach happened in them, immediate ruin was to be the fate of all thoſe houſes adjoining the Eſke. Now the eaſt pier was in a miſerable and ſhattered condition, and that old part of the weſt pier which had not been rebuilt was much bulged, and in danger of falling: Moreover, the duties granted by parliament were already burdened with a debt of 11,700 l. and the act paſſed in the year 1735 was to expire on the firſt day of June 1766. All theſe things being conſidered, it became abſolutely neceſſary for us again to apply to parliament, and, after faithfully repreſenting to them the ſtate of our affairs, to implore a continuance of the laſt-mentioned act for a further term of thirty one years.

Theſe ſteps were accordingly taken, and a new act obtained for continuing the former one till the firſt day of June, 1797; the preſent Truſtees were again appointed, and the harbour-maſter's ſalary was ordered to be 30 l. a year, who was ſtrictly charged to be vigilant in performing his duty; and the maſter of every ſhip or veſſel who diſobeyed his commands was to forfeit the ſum of 20 l. to be recovered by a warrant from the aforeſaid Truſtees, and by them applied to the repairs or improvement of Whitby harbour.

The firſt thing undertaken by the Truſtees, after obtaining this laſt act of parliament, was the making conſiderable alterations in the Scotch-Head, and lengthening the Burgeſs-Pier, with a deſign to contract the mouth of the harbour, and to retard the velocity of the water flowing into the ſame. But, as the current or draught of air is hardly felt in a window when ſet wide open, that ruſhes in thereat with great violence when opened only a little, ſo theſe

works, by diminiſhing the uſual breadth of the entrance, in reality accelerate the motion of the waves coming up the harbour, and can never anſwer the purpoſes for which they were intended. However, after this another work was begun, of which we ſhall long reap the advantage; namely, the widening and heightening the eaſt pier; for this, which is now almoſt finiſhed, renders that whole pier ſo compleat, that it will for ſeveral ages be a ſufficient barrier againſt the fury of the waves which roll over Whitby rock in ſtormy weather, when the wind is at north or north-eaſt.

All that I have further to add here with regard to the piers is, firſt, That every one of the before-mentioned ſix acts of parliament hath been obtained by the intereſt and influence of the Cholmley family, who have always been willing and ready to patronize and promote every ſcheme calculated or ſet on foot for the real advantage of Whitby: And, ſecondly, That the Truſtees for the piers, in this preſent year 1777, are Nathaniel Cholmley, Eſq; lord of the manor of Whitby; William Cholmley, Eſq; John Yeoman, Eſq; William Linſkill, Eſq; Adam Boulby, Eſq; William Barker, Eſq; Mr. John Walker, Mr. Abel Chapman, Mr. John Kildale, and Mr. Henry Clark: And, laſtly, That the depth of water into our harbour, in common neap-tides, is now generally about twelve feet; and in common ſpring tides about eighteen feet, and ſometimes not leſs than twenty three or twenty four feet, in great equinoctial or perigee ſprings.

On November 4, 1705, during the time of divine ſervice, William Stonehouſe fell down dead in Whitby church while the litany was ſaying, and was buried there on the 6th.——A ſimilar accident to which happened in April ,1758, when Mr. Robert Middleton the elder, walking in Whitby church on a Sunday, dropt down and expired immediately.

The leaſt of the four bells in Whitby church being found to be very untuneable, it was either recaſt, or elſe a new one purchaſed in its ſtead, anno 1708, having the following motto thereon, *Repent in time.* 1708.

During the courſe of the long French war, in Queen Ann's reign, the inhabitants of Whitby received conſiderable loſs from the Dunkirk privateers, by whom ſeveral of their ſhips were taken, though moſt of them were armed with guns, and provided with cloſe quarters, ſo that they ſeldom failed to make reſiſtance, and frequently repulſed the enemy; but this was not always to be done without ſome loſs of men; for we find that, on July 22, 1708, William Beſwick was buried in Whitby church-yard, having been ſhot to death by a French privateer; and there is mention made in our church regiſters of ſome others who met with their fate in the ſame manner. Privateers then frequently hovered on our coaſt, to pick up ſuch ſhips as were badly armed, or ſailed without convoy: And one of theſe, in a dark winter's night, ſtood in ſo near to our ſhore that ſhe came aground at Saltwick, where ſhe remained a conſiderable time, during which a man was hired by her crew, and diſpatched to Whitby, where he purchaſed half an anchor of ale, with which returning to the ſhip, ſhe floated again next tide, and got clear off, without the country ever being alarmed, or any one knowing what had happened till all was over.

On

On June 13, 1709, an ordinance or rule was made at Whitby for burying their dead at three in the afternoon; which rule was ſigned by his Grace the Archbiſhop of York, by Hugh Cholmley and John Cholmley, Eſqrs; and by twenty eight more of the principal inhabitants; and it hath been adhered to ever ſince, with this variation only, that five in the afternoon is now the ſtated hour for burying from Lady-day till Michaelmas.

On December 10, 1710, a puppet-ſhow being exhibited at the Tolbooth in Whitby, an affray was raiſed there by one William Smith, who inſiſted on coming in without paying any thing; whereupon the maſter of the ſhow drew his ſword, and therewith ſtabbed to death an innocent man called William Pickering; for which murder he was afterwards apprehended and ſent to York Caſtle, where, being tried and convicted at the following aſſizes, he was executed.

In the year 1711, Mr. Robert Fotherley, and his ſiſter Elizabeth, gave 50 l. to buy church ornaments.

In the year 1712, Mr. George Trotter, the Collector in the port of Whitby, bequeathed by will to the church three ſilver ſalvers.

In the years 1702, and 1715, Mr. Robert Norriſon, and his wife Elizabeth, gave 40 l. to the poor of Haukeſgarth.

In the year 1722, Mr. William Pearſon gave two houſes to the poor of Whitby.

In the year 1723, Mrs. Margery Boyes gave 6 l. per annum, to put four poor children to trades; and 3 l. 4 s. per annum, to put eight poor children to ſchool; 12 d. per week to twelve poor widows; and one houſe for two poor widows.

In the year 1723, Mr. William Coverdale gave 20 l. to the poor of Haukeſgarth.

In the year 1725, Mr. William Wigginer gave to the church a ſilver flaggon.

In the year 1741, a larger ſilver flaggon was given to the church by Mrs. Noble, at the requeſt of her late daughter (Mrs. Coverdale) who was Wigginer.

In the year 1736, Mr. Robert Boulby, and Eſther his wife, gave two houſes in Cliff-Lane, for the uſe of two poor ſeamen, or ſeamen's widows, of Whitby.

In the year 1770, Mr. John Pearſon bequeathed by will 20 l. for buying church ornaments at Whitby.

Adam Boulby, Eſq; in his own life-time, has given, for ever, ſix compleat tenements in Flowergate, (over and above the two already mentioned to be given by his father and mother) for the uſe of two poor ſeamen, or ſeamen's widows, at Whitby.

Hugh Cholmley, of Whitby, Eſq; was, ſoon after his coming of age, in the year 1706, elected a Burgeſs in parliament for Hedon in Yorkſhire, in conjunction with the honourable William Pultney, afterwards Earl of Bath. This borough he continued to repreſent in parliament till the year 1724. Alſo in the year 1714 he was, by the letters patent of King George I. appointed

Surveyor

Surveyor General of his Majeſty's crown lands throughout England: And, in the year 1715, he was likewiſe appointed Surveyor General of crown lands for the Prince of Wales; but this laſt-mentioned poſt he was afterwards obliged to reſign, on account of a miſunderſtanding which happened between the King and Prince of Wales. In the year 1724, he ſerved the office of High Sheriff for the county of York. In March, 1716, he married Katharine, the only daughter of Sir John Wentworth of Elmſhall and Houſham, Baronet, by the honourable Mrs. Mary Lowther his firſt wife, who was daughter to Lord Viſcount Lonſdale. By this lady he had a numerous iſſue, viz. John, born December 11, 1717; Hugh, Mary, Nathaniel, born November 15, 1721; Richard, William, Henry, Robert, Katharine, Ann, Elizabeth, and Samuel. In the year 1724, he gave up all his public employments, and retired to his manſion-houſe at Whitby, where he for the moſt part reſided till the year 1743, when Sir Butler Wentworth, the only ſon of Sir John Wentworth, dying without iſſue, the whole eſtate of that family deſcended to Mr. Cholmley in right of his lady; on which they left Whitby, and went to live at Houſham, where they both ended their days, ſhe in June, 1748, and he in May, 1755, being both of them interred in the chancel of Whitby church.

On the deceaſe of Hugh Cholmley, Eſq; he was ſucceeded by his then eldeſt ſon Nathaniel. This gentleman early in life betook himſelf to the profeſſion of arms, which he followed ſeveral years, and was preſent in the battle of Dettingen, where his horſe was ſhot under him, and he received ſeveral wounds. After the death of his two elder brothers, becoming preſumptive heir to a large eſtate, he quitted the army, and in the year 1750 married Katharine, ſecond daughter of Sir Rowland Wynn of Noſtel, Baronet, by whom he has iſſue, two daughters, Katharine and Mary. In the year 1754 he ſerved the office of High Sheriff for the county of York. In the year 1756 he was elected a Burgeſs in parliament for Aldborough, in Yorkſhire, which place he repreſented till the year 1768, when, being elected a Burgeſs in parliament for Boroughbridge, he continued to repreſent that borough till the year 1775. Some time after the death of his firſt lady, he, in the year 1757, married for his ſecond wife Henrietta-Katharina, eldeſt daughter of Stephen Croft, Eſq; of Stillington, by whom he has iſſue, two daughters, Henrietta and Ann-Elizabeth. This lady dying alſo in the year 1769, he, in the year 1774, married for his third wife Ann-Jeſſe, eldeſt daughter of Leonard Smelt, Eſq; of Langton.

As for the younger brothers of Nathaniel Cholmley, Eſq; none of them are now living but William, who is a bachelor; nor was any of them ever married. Robert, a brave and gallant officer in the army, loſt his life at the *Little Meadows* in America, when General Braddock was defeated, anno 1755.

Katharine, one of his ſiſters, is yet living, who, in November, 1754, married George Overend, Eſq; of Fangfoſs, Senior-Commiſſary of his Majeſty's muſters, by whom ſhe has iſſue, viz. Katharine, born February 1, 1765; Cholmley, born May 31, 1766; and Sarah, born October 17, 1767.

Katharine,

Katharine, eldeſt daughter of Nathaniel Cholmley, Eſq; was, in the year 1774, married to Henry Hopkins Fane, Eſq; of Barnbrough, in Yorkſhire: And, at the ſame time, his ſecond daughter Mary was married to Abraham Grimes, Eſq; of Coton-Houſe, in Warwickſhire: Alſo, in April, 1778, his third daughter, Henrietta, was married to William Strickland, Eſq; eldeſt ſon of Sir George Strickland, of Boynton, Baronet.

In the beginning of March, 1729, Joſeph Stonehouſe died at Saltwick, near Whitby, aged 108 years. But this is not the only inſtance of longevity we are able to produce; for in June, 1754, Margaret Cooper died at Whitby, aged above 100 years: Alſo in June, 1759, Margaret Ingram died at Ruſwarp, near Whitby, aged 103 years: And in November, 1770, Eſther Ling died at Whitby, aged 109 years. Many more inſtances might be produced of perſons that have died here in a very advanced age, which proves our air to be by no means unſalubrious; though I am afraid the introduction of luxury among us, and our deviating from that temperance heretofore practiſed by our forefathers, will conſiderably abridge the period of human life, and by no means render us a more happy people. At preſent I cannot find, after the moſt diligent inquiry, that we have one man in the town of Whitby who is more than eighty five years old; and though there are ſome women in Whitby, and even men in the country adjacent who exceed that age, yet to me it does not appear probable that any one of them will ever attain the age of Joſeph Stonehouſe or Eſther Ling.

In the year 1732, Aiſlaby chapel, after lying ruinous for almoſt eighty years, was rebuilt by the voluntary ſubſcriptions of John Burdett, Eſq; Mr. Mark Noble, Mr. Norriſon Coverdale, Mr. John Keld, Mr. James Yeoman, Richard Huntrods, Francis Huntrods, Richard Woodhouſe, Thomas Yeoman, and John Wilkinſon. Afterwards Mrs. Noble, wife of Mr. Mark Noble, gave thereto ten pounds yearly, for ever, towards maintaining a Curate to do ſervice therein once every fortnight on Sunday afternoon, and to adminiſter the ſacrament four times yearly, when the ſervice is to be performed in the forenoon. On account of this donation the *Noble* family are become patrons of Aiſlaby chapel; and it hath ſince that time received the Queen's bounty twice, viz. once on account of its being built by ſubſcription, and a ſecond time on account of the before-mentioned donation. In the year 1752, Matthew, ſon of Mr. Mark Noble, erected a gallery therein, and the whole fabric is now very proper and commodious for the celebration of divine ſervice in the moſt decent and orderly manner; but no body is ever interred there, nor are any churchings of women, or chriſtenings of children allowed to be performed in this chapel without paying double fees, one half whereof is always due to the Miniſter of the mother church of St. Mary at Whitby.

I had almoſt forgot to obſerve, that, in the year 1726, a workhouſe was firſt inſtituted at Whitby under the auſpices of Hugh Cholmley, Eſq; who was then Lord of the manor, and gave the ground. Money was raiſed for this purpoſe by the voluntary contributions of the inhabitants; and Mr. Thomas

Thomas Clark, who was then chief conſtable for Whitby-Strand, had the direction of the buildings. Here the poor have been maintained and lodged ever ſince; but they are now much ſtraitened in their quarters, on account of the great increaſe of inhabitants (and conſequently of poor) within the town of Whitby during theſe fifty years laſt paſt, which will, in a little time, make ſome new regulations abſolutely neceſſary with regard to this workhouſe.

In the year 1734, it appears there were near 130 veſſels of 80 tons burden and upwards belonging to the port of Whitby.

In the year 1734, three dry docks were made at Whitby, on the eaſt ſide of the river Eſke, by Meſſ. Barker, Holt, Reynolds, and Watſon, from which the town has ever ſince received a very conſiderable advantage, they being not only capable of receiving the largeſt ſhips belonging to Whitby, but many ſtrangers are alſo thereby induced to come into our port for the ſake of repairs, where the work is done very compleatly, and at a conſiderably lower rate than in any other part of Great Britain. In the year 1757, Mr. Thomas Fiſhburn built another dock, on the weſt ſide of the Eſke; and two or three years after that, Mr. Richard Sympſon made another compleat dock, on the weſt ſide of the river alſo. All of which docks meet with ſo much encouragement and employ, that ſeldom any one of them is long empty, or without a ſhip in it.

In the night of Auguſt 16, 1743, Whitby church was robbed of all the ſilver plate belonging thereto, to the value of near 80 l. as alſo of the church terrier, and ſeveral other things that till then had been kept locked up in an old iron cheſt which ſtood in the tower of the ſaid church. It was generally believed that the perpetrators of this ſacrilege lived in the town, and that a blackſmith, a joiner, a maſon, and a glazier were confederates therein: However no ſuch diſcovery was ever made as to convict any one of the offenders; and to ſupply this deficiency of church plate, the miniſter and church-wardens of Whitby, at the following Chriſtmas, bought in London a chalice of ſilver, holding near three gills, and a decanter of ſilver, holding about two quarts, weighing together ſixty one ounces eighteen pennyweights, and both ſuperſcribed *Whitby Church*, 1743. Alſo afterwards, in the year 1759, they bought a large ſilver flaggon, holding nine pints, and weighing ſixty eight ounces five pennyweights; with a large ſilver waiter gadroon'd, weighing thirty one ounces two pennyweights; and two ſilver plates for alms, weighing thirty two ounces eleven pennyweights; all of which are ſuperſcribed *Deo et Eccleſiæ s.* 1759. Theſe, with a ſmall ſilver ſalver for bread, weighing eight ounces two pennyweights, and ſuperſcribed *Whitby*, 1742, (which was ſaved in the year 1743) now grace our communion table, and enable us to make a tolerably decent appearance on ſacrament days. As for the old church-terrier I can give no account thereof; but inſtead of it, Mr. Borwick, who was then Miniſter, drew up the following one, which is now pretty regularly adhered to:

"The

" The Miniſter of Whitby has a right to receive

	£.	s.	d.
From the Archbiſhop of York yearly	10	0	0
From the Leſſee of the tithes yearly	40	0	0
For every marriage by banns	0	2	6
For the publication of theſe banns	0	1	6
For every marriage by licence	0	13	4
For churching a woman in the church	0	1	1
For every burial in the church-yard	0	1	6
For every burial in the church	0	3	0
For interring a ſtill-born child	0	1	0
For any pariſhioner that is buried in another church, the ſame fees as if at Whitby			
For the regiſter of every baptiſm	0	0	4
For keeping the regiſters yearly	0	13	4
For going to the viſitation yearly	0	12	0
For reading a citation	0	1	0
For examining the regiſters	0	1	0
For a certificate of marriage upon ſtamp	0	2	0
For every burial in the chancel	0	6	0
For churching a woman in the houſe	0	2	6
For a certificate of publiſhing banns	0	1	0
And for that marriage, the ſame as if at Whitby			

" Moreover, he claims a right to chuſe one Church-Warden yearly, as alſo to nominate the Pariſh Clerk, and to grant leave for burying in the body of the church."

In the French and Spaniſh war, which happened about this period of time, ſeveral of our ſhips were taken by the enemy; but theſe were ſoon made up by others launched new from the ſtocks; ſo that the number, inſtead of leſſening, kept continually upon the increaſe, after the great ſtorm on Nov. 1, 1740; and a numerous youth flocking yearly to Whitby from the country, more than made up for ſuch as were impreſſed into his Majeſty's ſervice. Our trade and commerce began to flouriſh more and more, and ſo much ſucceſs attended us, that we were able to lay out 40 or 50,000 l. annually in building new ſhips. It was now we firſt were initiated into the tranſport ſervice, whence Whitby has ſince received very conſiderable advantages; and it was now the town began to put on an appearance very different from what it had done in any age before; for all the houſes till then had been built either of oak-timber framed, or of ſtone roughly hewed, procured partly from the ſea-ſhore, and partly from Aiſlaby moor; many of them were thatched, and had little convenience in them; ſo that they rather reſembled ſorry hutts and cottages than the habitations of wealthy citizens. But now, ſtone being almoſt entirely laid aſide, the inhabitants of Whitby built new houſes, with brick-walls and ſaſh'd-windows, much more ſpacious, commodious, and neat than the old ones: Architecture began to

be encouraged among them; and every owner of a ſhip ſtudied how to emulate the magnificence he obſerved in other towns.

And indeed it is ſurprizing the uſe of bricks was not more early introduced among us, conſidering the goodneſs and the plenty of the clay we have to make them of, which is not to be ſurpaſſed in any part of England. Nay, in a tour that I myſelf took through the ſeveral parts of Yorkſhire ſome years ſince, I could no where obſerve they had bricks equal in goodneſs to thoſe we make at Whitby, which, coming at a low rate, makes their uſe at preſent to be univerſally adopted by all ſuch as build modern and neat houſes in this part of the county

Till the year 1750, all the roads about Whitby lay in a ſtate of nature, rough, rugged, and uneven; it was dangerous for a man on horſeback to come into the town in the winter ſeaſon of the year, but more ſo for any loaden carriage then to approach the place. The inconveniences that aroſe from hence began now to be plainly perceived; and, as a firſt eſſay to remedy this evil, Mr. Fordon was ſet at work by our burgeſſes to level the deep hollow way which led out of Flowergate to the croſs or direction poſt that ſtands about 300 yards from the town. This road he was to form into a turnpike-way; which he did ſo effectually, and ſo much to the ſatisfaction of the public, that in a year or two after that, orders were iſſued by our burgeſſes to make other turnpike-ways, from the end of Baxtergate, as far as Dawn-Dinner-Hill, on the weſt ſide of the Eſke, and from the Docks up the Green-Lane, on the eaſt ſide thereof. After which Scate-Lane was alſo reduced into form; and all the roads belonging to Whitby were rendered ſo commodious, that they gave great ſatisfaction to every one who came upon them.

Our eyes now began to be opened, and the advantage which attend turnpike-ways became ſo evident, that, in the year 1759, a deſign was formed to join Whitby to the other parts of England, by turnpiking the poſt-road that led from thence over thoſe great moors which lie to the ſouthward thereof. Robert Bower, Eſq; and Mrs. Gertrude Burdett of Sleights, were the firſt promoters of this laudable undertaking; in which Nathaniel Cholmley, Eſq; and the other Gentlemen in the neighbourhood, concurring, a ſubſcription was opened, and almoſt 1500 l. collected, for carrying their deſigns into execution. This enabled them to throw up and compleat a very good turnpike-way from the limits of Whitby for an extent of more than ten miles, till it came within two miles of Saltergate; ſo that paſſengers now ventured to paſs over theſe moors without fear or danger, where no ſtranger before that time durſt ever preſume to come without a guide. But the work being ſtill incompleat, and a conſiderable part thereof remaining unfiniſhed, it was judged the moſt prudent ſtep that could next be taken to apply to parliament for ſuch aſſiſtance as might enable them to compleat this road as far as Lockton-Lane, and to keep the ſame in repair afterwards. Accordingly application was made in the year 1763, and an act obtained, empowering ſuch truſtees as were therein appointed to erect three turnpike-gates, (viz. one at the croſs roads, about a mile from Whitby,

by, another at Sleights Bridge, and the third at Saltergate) where the tolls were not to exceed two pence for a ſingle horſe, and every other thing in proportion; but might be lowered at each of theſe gates as the truſtees ſhould judge proper. Soon after which this road was compleatly finiſhed to the ſouthern end of Lockton-Lane, for an extent of more than ſixteen miles; and the town of Whitby receives very conſiderable advantages therefrom, as it enables the country people to bring many commodities weekly to our market, which otherwiſe we ſhould be deprived of. Many other public roads in our neighbourhood have ſince that time been turnpiked; and it is probable that twenty or thirty years hence not one public road in this part of Yorkſhire will remain but what will be compleated in the ſame manner.

In the year 1752, a large bolting mill was erected at Ruſwarp by Nathaniel Cholmley, Eſq; which, in January, 1766, he lett by a leaſe for ninety nine years to Meſſ. Howlett and Mathews, who now continue to occupy the ſame.

In the year 1753, two good ſhips were fitted out at Whitby for the whale fiſhery in Greenland; which being pretty ſucceſsful, two more ſhips were fitted out, and ſent along with them, in the year 1755. But in the French war that commenced ſoon after this, it being found that more certain profits attended the tranſport ſervice than any which could be depended on from Greenland, this trade was entirely laid aſide till peace was concluded; ſince which, ſome of our ſhips have again ventured into thoſe ſeas, where they have not been altogether unſucceſsful, Mr. Banks (one of our Captains) having in ten years time brought home from thence no leſs than ſixty five fiſh, almoſt all of them ſizeable. At preſent, fourteen or fifteen ſhips from Whitby go annually to Davis's Straits and the ſeas of Greenland.

In the year 1755, the number of ſhips belonging to the port of Whitby was 195.

That ſame year Saltwick allum-works, after lying down near fifty years, were again ſet a going, and began to be wrought, by Ralph Carr, John Cookſon, and Richard Elliſon, Eſquires, and Mr. Jonas Brown; who ſtill carry on the ſame. Alſo nearly at this ſame time, another allum-work was erected, and ſet a going, at Little-Beck, in the pariſh of Whitby, by Meſſ. Howlett and Mathews, which yet continues to be wrought. Likewiſe another allum-work was erected and ſet a going on Eſkedale-Side, in the year 1764, by Mr. Richard Jackſon, and John Yeoman, Eſq; and this work ſtill continues to be wrought. Moreover, in the year following, another allum-work was erected, and ſet a going, not far from Little-Beck, by Meſſ. Scarth and Thornhill; but this allum-work has been laid down ſome time ſince.

In the year 1760, about 1800 acres of moor was, by act of parliament, taken in from the moors adjoining to Sleights and Ugglebardeby, and added to the incloſed land belonging to Whitby pariſh.

In the year 1761, houſes firſt began to be built in Haglathe; where new houſes ariſing annually, and continual additions being made, it was by de-

grees formed into a compleat ſtreet, called Henrietta-ſtreet, in honour of the ſecond Lady of Nathaniel Cholmley, Eſq; and is now grown ſo populous, that it is believed not leſs than a thouſand inhabitants are to be found in the ſame.

In the year 1762, the four bells in Whitby church being found to be very defective, were taken down, and ſent up to London; and in their ſtead a peal of ſix very tuneable bells were purchaſed there of Meſſieurs Liſter and Pack, which, being properly hung by one of the beſt artiſts in England, now continue to grace our old church, and do honour to the town of Whitby.

Alſo, in that ſame year, 1762, Meſſieurs William and John Skinner purchaſed Farndale Fields of Mr. Thomas Hay for the ſum of 1500 l. where they propoſed building new houſes, and enlarging the town of Whitby. Accordingly, ſince that time, a conſiderable number of good houſes have been erected there, and a new ſtreet formed, which, being called Skinner-ſtreet, will ſoon exceed all the other ſtreets in Whitby, both for beauty and magnificence. At the north end of this ſtreet a yard for making tiles has been made, where that uſeful commodity is now manufactured, which formerly was imported from Sunderland, Shields, and other diſtant parts of our coaſt.

In that ſame year, 1762, Robert Bower, Eſq; obtained leave from the Archbiſhop of York for erecting a chapel at Sleights, to ſupply the place of the old chapel of St. John's, which ſtood on Eſkedale Side, and was built there by the Abbot Roger more than five hundred years before that time. Accordingly a very beautiful and elegant chapel, hardly to be equalled by any in England, was built by the before-mentioned gentleman, his wife Tabitha, and Mrs. Gertrude Burdett her ſiſter; which chapel was afterwards, in the year 1767, conſecrated by Archbiſhop Drummond, when the old one was ordered to be ſhut up; and Mr. Bower giving 200 l. to this new chapel, the Queen's bounty was obtained for the ſame, on which account, it being ſeparated from the mother church at Whitby, the advowſon thereof became the property of Mr. Bower and his heirs; only all fees paid there for burials, marriages, churchings, &c. were to be double, and the one half thereof was to be accounted for to the Miniſter of the mother church at Whitby.

In the year 1764, an act of parliament was obtained for paving, repairing, and cleanſing the ſtreets, lanes, alleys, and public paſſages, within the town of Whitby; and for preventing encroachments and annoyances therein; and for regulating the carriages, cartmen, and porters there. In this act the Burgeſſes are appointed Truſtees, and veſted with a power to collect the firſt year eighteen pence in the pound of the yearly rent of every houſe and tenement in Whitby, viz. the one half of that ſum from the occupier, and the other half from the owner of every ſuch houſe or tenement, out of which money thus collected they are to pay the charges of obtaining the act. And, after the firſt year, they are ordered to raiſe not more than nine pence in the pound yearly of the rent paid by the ſeveral houſes and tenements in the ſaid town; which money they are to lay out in paving all the

ſtreets,

ſtreets, lanes, alleys, and public paſſages in Whitby, and in keeping the ſame in repair. Alſo they are to appoint ſcavengers, who ſhall ſweep and clean the aforeſaid ſtreets and public paſſages whenever it is neceſſary, and who are to receive for their wages two pence in the pound rent yearly from the occupiers of all houſes and tenements in the ſaid town; only the lord of the manor is to make and repair, at his own expence, the pavement in the Market-Place, which is to be kept clean by ſuch perſon or perſons as he ſhall appoint. All nuiſances are to be removed; and whoever leaves any cart, waggon, wheel-carriage, rubbiſh, or any other annoyance in the ſtreet, ſo as to remain there all night, is liable to forfeit the ſum of twenty ſhillings; one half whereof is to be paid to the informer, and the other half is to be applied towards paving and repairing the ſtreets. Alſo if any cart, waggon, or wheel-carriage, uſed for the carrying of merchandiſe, and drawn by one or more horſes, paſs through the town, it is ordered by the ſaid act that the perſon entruſted therewith ſhall lead theſe horſes and carriage, not faſter than a ſober foot-pace, otherwiſe he becomes liable to a penalty or fine of twenty ſhillings, to be applied as is before expreſſed. Alſo it is enacted, That no carriage for goods or merchandiſe, whoſe owner lives within one mile and a half of Whitby, ſhall be drawn by more than three horſes, or have its wheels leſs than nine inches broad, on pain of forfeiting twenty ſhillings for the firſt offence, forty ſhillings for the ſecond offence, and three pounds for every future offence. Moreover it is enacted, That all ſteps, hatches, and encroachments, which project an unreaſonable way into the ſtreet, are to be altered or removed, on having ten days notice for ſo doing from five or more of the truſtees, otherwiſe the owner or occupier thereof is liable to forfeit five ſhillings for every week they remain after ſuch notice is given. The truſtees are alſo inveſted with a power to purchaſe any houſe, cottage, tenement, or ſhop, which hinders the ſtreets, lanes, alleys, or public paſſages in Whitby from being convenient, and to pull down or remove the ſame, on making reaſonable ſatisfaction to the owner thereof. Alſo it is enacted, That no perſon whatſoever ſhall erect or ſet out in the public ſtreets, any table or ſtall for the ſale of merchandiſe, ſave in the Market-Place, or on a market-day, under the penalty of forfeiting five ſhillings for every ſuch offence. And laſtly, The ſaid Truſtees are inveſted with a power to regulate the wages of all porters who carry coals, or any other kind of merchandiſe, from or on board any ſhip or veſſel lying in Whitby harbour.

Under the authority of this act of parliament our ſtreets have been all new paved, ſo that they are now much more commodious and neat than what they were formerly. Henrietta-ſtreet alſo has been finiſhed in the ſame manner, as likewiſe the road or ſtreet leading from the Turnſtile to the docks. Moreover, in the year 1775, Spital-bridge was new built, and a piece of good pavement made from thence to the docks, ſo that there only now remain unfiniſhed about 150 yards of road lying on the eaſt ſide of the docks, and belonging to the proprietors of the ſaid docks, which, when paved or flagged, will render all the ſtreets pertaining to Whitby very compleat.

In

In the year 1766, Whitby-bridge was taken down, and built again upon a plan ſomewhat different from the old one; for, inſtead of jewels, ſtone pillars were now erected, on which timber was laid, framed and put together geometrically, in a manner curious and artful enough; and the whole continues ſo firm, notwithſtanding the repeated ſhocks it receives from our ſhipping, that it will be a laſting monument of the builder's ſkill and knowledge in mechanics. It was made paſſable in the year 1767, and coſt the county not leſs than 3000 l.

Since the firſt introduction of ſhipping at Whitby, the town has been continually upon the increaſe; but that increaſe was ſlow, and almoſt imperceptible, while the harbour was bad and without piers. No ſooner were theſe erected, and the haven made convenient and commodious, by the removing of all obſtructions, than Whitby grew apace both in the number of its ſhipping and inhabitants, ſo that it is more than doubled within the ſpace of theſe forty years laſt paſt. We have now 251 ſhips, (beſides what are on the ſtocks) whoſe burden is more than 55,000 tons, King's meaſurement; and the town is ſo crouded with inhabitants, that though ſeveral new tenements are erected yearly where formerly none were to be found, yet houſes are conſtantly a ſcarce article with us, and none ever ſtand unoccupied. Nay, as ſoon as any tenement is like to become empty, five or ſix tenants will be applying for the ſame. Alſo when any new houſe is to be built, the owner generally knows before-hand who is to inhabit it. All theſe things beſpeak our growing popularity; of which, that I may give the reader ſome idea, I ſhall here beg leave to inſert the following table:

Years.	Births.	Weddings.	Burials.
1608	49	12	5
1609	51	6	8
1610	41	7	27
1611	36	19	24
1612	38	18	9
1615	40	14	12
1620	50	11	19
1625	64	7	33
1630	52	7	24
1635	71	11	84
1640	77	19	48
1645	61	21	60
1650	56	18	69
1655	90	31	134
1660	87	13	63
1665	80	20	54
1670	99	22	72
1675	76	26	57
1680	82	13	75

Years.	Births.	Weddings.	Burials.
1685	99	14	55
1690	103	22	78
1695	126	35	91
1700	101	17	78
1705	124	20	87
1710	104	17	88
1715	126	25	90
1720	132	24	167
1725	155	31	105
1730	141	32	108
1735	109	25	137
1740	161	24	125
1745	127	22	94
1750	140	30	108
1755	179	46	126
1760	184	59	138
1765	227	91	184
1770	234	66	162
1775	237	82	166
1776	256	76	273
1777	278	100	219

The aforegoing lists, taken from our registers, are for the whole parish of Whitby: But as that part of the parish belonging to the country consists of about 200 families, or (as I presume) 1000 inhabitants; to ascertain the registers for Whitby alone, we ought yearly to deduct twenty five from the births, six from the marriages, and fifteen from the funerals; and then we shall have the numbers pretty near the truth,. Perhaps these deductions ought each to be greater before the year 1720, on account of the many cottages and little tenements in the country, which are now suppressed or gone to ruin; but the aforegoing numbers answer upon a medium to what the births, marriages, and burials in the country are at this present time. With regard to the burials in our list for the earliest years, there appears to have been some mistake committed: They are either for Whitby only, or else many of them are omitted: Probably some might be interred at the several chapels which then belonged to Whitby, where their ancestors had been deposited before the dissolution of our Monastery: But of this we have no certainty; and the reader is at liberty to judge for himself as he thinks proper.

To make the number of births for Whitby in our list, for the year 1776, exact, we ought, after deducting twenty five for country baptisms, to add fourteen Presbyterian baptisms, eleven Independent baptisms, and six Quaker registers; after which, the whole number born at Whitby alone, will appear to be 262.

Also

Alſo two Quaker weddings being added, and ſix country weddings deducted, the whole number of weddings for Whitby alone, in the year 1776, is known to have been ſeventy two.

Likewiſe, ſix Quaker burials being added, and fifteen country burials deducted, the whole number of burials for the town of Whitby, anno 1776, is found to have been 264; to which, adding thirty or forty for ſuch as were drowned at ſea, or died abroad, and the number of deaths for Whitby that year will be found to be very little ſhort of 300; but then it muſt be owned the ſmall-pox raged much among us, and carried off forty or fifty of our children that had them.

The number of families in Whitby, anno 1776, by an exact ſurvey taken of them, was found to be 2268; where, if we allow only five perſons to every family, the whole number of inhabitants appears to be 11,340; but that being conſiderably below the mark, we cannot ſuppoſe the town to contain leſs than 12,000 inhabitants.

Here let us for a while again convert our attention to the pariſh church of St. Mary at Whitby, which is built (as were almoſt all churches in the earlieſt ages of chriſtianity) low, and in form of a croſs. It was burnt down by the Danes in the year 867; and lay in ruins till the conqueſt, when Lord William de Percy repaired, or rather rebuilt, the ſame. But ſo much did the Abbey then engroſs the attention of the Monks that little care was taken of the church, and, inſtead of cement or lime, the workmen were left to build it with mortar made of clay. The architecture thereof is Gothic; and it nearly preſerved its antient form till about the year 1744, when the north wall growing very bad, and being in danger of falling, it was taken down and re-built, with the windows in ſomewhat a more modern taſte, yet not greatly varying from what they had formerly been. But of late years this church hath undergone ſo many alterations by erecting new galleries, putting in ſaſh'd windows, cieling over head with deals, painting, removing old ſtones that were carved, &c. that it hath loſt much of its antique appearance, eſpecially in the inſide, where hardly any veſtiges remain to ſhew what it formerly hath been. When the Monaſtery was diſſolved, it was judged to be abundantly ſufficient to ſerve as a place of worſhip for the whole pariſh, which then contained only 1500 or 1600 inhabitants: But as the number of theſe increaſed, they found themſelves ſtraitened in the body of the church, and began to think of erecting galleries, where they might have better convenience for the ſervice of Almighty God. Accordingly a precedent was firſt ſet by the Cholmley family, who, during the minority of Hugh Cholmley, Eſq; erected a gallery in the eaſt end of Whitby church. Afterwards a gallery was made on the ſouth ſide thereof, anno 1697; a gallery at the weſt end, anno 1700; Mr. Mark Noble's gallery, anno 1709; a gallery on the eaſt ſide of the ſouth iſle, anno 1757; and a gallery in the north iſle, anno 1764.

Yet, notwithſtanding all theſe enlargements and additions made in Whitby church, it is ſtill found to be very defective, as it will not contain, even when crouded, more than one tenth part of the pariſhioners; and hence ariſe many

many evils that call loudly for redreſs. Firſt, There is continual wrangling and diſputes about ſeats and pews. Secondly, It cauſes many well-diſpoſed pariſhioners to ſtay at home and to neglect the public worſhip. And Thirdly, It produces ſchiſms and diviſions, and increaſes the number of ſectaries among us daily: For when men are hindered to ſerve the Divine Being in that place where he hath always been adored by their forefathers, it is natural for them to join ſome other ſociety where this worſhip can be performed by them freely and without diſturbance: and hence comes a falling away, which cauſes the number of true Proteſtants to be leſs numerous at Whitby than what could be wiſhed. Great pity it is then that ways and means have not been found out before now for the building of one or more new churches, where ſuch as are true members of the church of England might reſort on Sundays, and other feſtivals, to ſerve God in a decent, religious, and chriſtian-like manner. It is true the building a new church hath been for many years a point agitated in the town of Whitby; but it has hitherto come to nothing, becauſe all or moſt of our leading men, whoſe buſineſs it ſhould be to promote ſuch a ſcheme, are already provided with convenient ſeats in the old church. However, ſoon or late the building a new church is a thing that moſt aſſuredly will take place; and probably the ſubſcription that hath lately been ſet on foot among us for this purpoſe, and the buying ſome old houſes in Baxtergate, where it is thought a church might be erected, may, in a year or two more, produce the deſired effect, and remove a grievance that hath been ſo long and ſo juſtly complained of.

Our old church ſtands upon an eminence, to which there is an aſcent by 190 ſtone-ſteps or ſtairs. The church and church-yard together contain about two and a half acres of ground; but both of them are far too little for the pariſh. The church-yard is almoſt every where much crouded with grave-ſtones, none of which are of old ſtanding, nor indeed can be, on account of the ſea air, which is ſo deſtructive and pernicious to ſtones of whatever kind, that all letters, and even characters, are ſoon obliterated. There has, ſince the year 1760, been ſeveral walks flagged with ſtone made therein, which are commodious and neat enough. Though many have been buried in the church, yet but few tomb-ſtones are to be found there with inſcriptions on them. All around the communion table are tomb-ſtones over ſuch of the Cholmley family as have been interred there; but the inſcriptions on them contain nothing particular, ſave that over Sir Richard, which we have already inſerted in page 311.——In the choir are two or three marble-ſtones, which I apprehend formerly belonged to the Abbey; but the inſcriptions on them are long ſince worn out.—Alſo we find there a blue marble-ſtone over Hannah, the daughter of Mr. William Wigginer of Whitby, who was firſt married to Mr. Luke Bagwith of Whitby, by whom ſhe had five ſons and two daughters; and afterwards eſpouſed Mr. Francis Comyn of Whitby, by whom ſhe had two ſons and one daughter. She departed this life March 19, 1670-1. Between the choir and pulpit is a tomb-ſtone, under which lie interred Mr. John Thomlinſon of Whitby, and his ſon Mr. Charles Thomlinſon; which laſt Gentleman was married to Eſther, the ſecond daughter of Mr. Robert Buſhell of

Ruſwarp, and died July 10, 1690.—Adjoining to this is a blue marble-ſtone, under which is buried Guy Fairfax of Steeton, Eſq; who died at Whitby, Auguſt 19, 1695.—In the weſt end of the church, not far from the north door, is a tomb-ſtone over my heretofore worthy friend Dr. William Ingham, who died in a conſumption on March 17, 1760, and whoſe Epitaph concludes with the following verſe from Ovid. *Nec proſunt Domino, quæ proſunt omnibus, Artes.*

In the year 1768, a very elegant monument of marble was erected in the weſt end of Whitby church, by Mr. Thomas Holt, to the memory of Mrs. Annabella Hall and her four maiden daughters, who all lie buried there. The youngeſt of them, called Dorothy, died in the year 1767, appointing that Gentleman her executor.

In the year 1772, a very ſuperb Monument of marble was erected, near the veſtry door in our chancel, over the grave of General Laſcelles, who was a native of Whitby; being the ſon of Mr. Peregrine Laſcelles, by Mrs. Mary Wigginer his wife. The epitaph on this monument is ſaid to have been wrote by the late Dr. Dealtry of York, and is as follows:—"To the memory of Peregrine Laſcelles, General of all and ſingular his Majeſty's forces, who ſerved his country from the year 1706. In the reign of Queen Ann he ſerved in Spain; and in the battles of Almanara, Saragoſſa, and Villavicioſa, performed the duty of a brave and gallant Officer. In the Rebellion of the year 1715, he ſerved in Scotland: And in that of 1745, after a fruitleſs exertion of his ſpirit and ability, at the diſgraceful rout of Preſton-Pans, he remained forſaken on the field. In all his dealings juſt and diſintereſted, bountiful to his Soldiers, a father to his Officers, a man of faith and principle; in ſhort, *an honeſt man.* He died March 26, 1772, in the 88th year of his age."

But the moſt extraordinary epitaph to be ſeen at Whitby is on a grave-ſtone near the outſide of the chancel door, which is as follows:

"Here lieth the body of Francis Huntrodes, ſen. and Mary his wife; who were interred here the 12th day of September, anno 1680.

Huſband, and wife that did twelve children bear,
Dyed the ſame day; alike both aged were.
About eighty years they lived: Five hours did part
(Even on their marriage day) each deareſt heart.
So fit a match ſurely could never be;
Both in their lives, and in their deaths, agree."

Notwithſtanding the great number of tomb-ſtones in our church-yard, yet few of them contain any thing more than the names, titles, and ages of ſuch as have been interred there, with the time when they died. However, to gratify the reader's curioſity, I ſhall here ſelect ſuch of them as I think deſerving notice; as they tend not only to characterize the genius of our inhabitants, but perhaps alſo do ſome honour to ſuch of the relations of the deceaſed as have placed them there.

"John

" John and Elizabeth Jackſon.
A loving couple here doth lie,
Who ſpent their time in peace and unity,
Peter Jackſon, ſen. 1675, and his wife Suſanna, 1683."

" Eſther, wife of William Wainman, died March 15, 1674. Alſo two children. And Mr. Wainman, 1690.

Remember, man, as thou goes by,
As thou art now, ſo once was I:
As I am laid, ſo muſt thou lie:
Remember, man, that thou muſt die."

" James, ſon of James and Elizabeth Gilderſleve, interred May 21, 1700. Alſo Elizabeth, the late pious wife of James Gilderſleve, interred Jan. 18, 1708, being the day of her birth.

Begone for ever, mortal things!
Thou molehill earth adieu, farewell!
Angels, aſpire on lofty wings!
Let me with JESUS ever dwell."

" Mr. William Atkinſon died 1702.
Through many various tempeſts have I paſt;
But a ſafe harbour I have found at laſt."

" Iſabel, (wife of Mr. Leonard Hart, maſter and mariner) died in 1719.

Here lies entomb'd a dear and tender wife,
Who was well known to lead a pious life:
Peace, love, and unity did her inſpire;
And to relieve the poor was her deſire.
With worldly care ſhe is no more oppreſt:
No, no, ſhe's gone to everlaſting reſt."

" Mary, daughter of John and Jane Noble, died 1720, aged 18.

All you that come my grave to ſee,
As I am now, ſo muſt you be:
I in my youth was ſnatch'd away;
Therefore repent, make no delay."

" Elizabeth, wife of Matthew Brown, died 1722.

Why ſhould I unwilling be to die,
Who liv'd ſo long in pain?
But rather chuſe to go to Chriſt,
And there with him remain.
Mourn not for me, my huſband dear,
I am not dead, but ſleeping be:
My debt is paid, my bed ſee here;
Think what has paſt, then come to me."

" Cornelius Clark, maſter and mariner, died 1723.

Who ſail'd for heaven, the port to gain;
In hopes with Chriſt there to remain."

John Potter died 1727-8.

He hath left a wife, and three children dear;
I hope their ſouls will meet in heaven, and their bodies here."

" Barbara, wife of John Wilſon, died 1728, aged 38; and lies buried here, with her child.

A wife ſhe was both virtuous, chaſte, and kind;
Courteous to all, few ſuch are left behind."

" B. R. S Henrici Simſon, Apoth. Exuviæ mortales depoſitæ 17^mo^. Julii, 1731, Ætatis ſuæ 43."

" In memory of Richard Archer, who died April 30, 1739, aged 35 years. Alſo of Ruth Archer, his widow, who died June 12, 1751, aged 58 years.

In him we loſt a friend ſincere:
In her do mourn the parent dear.
Let us, like them, learn how to die;
So ſhall we meet 'bove yonder ſky."

" In memory of Nicholas Ewart, Baker, who died on March 6, 1757, aged 25 years: And of William, his brother, who died on February 26, 1757, aged 21 years.

Brethren in life and death we lie,
And mingle our fraternal duſt:
Till days and years run out and die,
We wait the riſing of the juſt."

" In

" In memory of Ann, (the wife of Thomas Barnard, maſter and mariner) who departed this life on the 10th of May, 1758, aged 48 years.

Farewell, vain world, I've had enough of thee;
And now am careleſs what thou ſay'ſt of me:
Thy ſmiles I court not, nor thy frowns I fear;
My days are paſt, my head lies quiet here.
What faults in me you've ſeen, take care to ſhun;
And look at home, enough there's to be done."

" Sacred to the memory of Martha, the wife of George Atty, and daughter of William and Martha Coates. Having delivered the firſt tender pledge of conjugal felicity, ſhe hovered here a while, then fled from earth to heaven, ere ſhe to life's meridian had attained, belov'd and lamented.

Obiit 3°. Septembris, anno 1772, Ætatis 20."

" To the memory of Ann, the daughter of Thomas and Elizabeth Knaggs, late of the pariſh of Roxby, who died July 6, 1773, aged 39 years.

God and religion did her hours employ;
Goodneſs her choice, and charity her joy.
Chearful thro' life, in every healthy ſcene;
In ſickneſs patient, and in death ſerene.
Tranſlated hence, (of God thro' Chriſt approv'd)
She lives, and triumphs, in that world ſhe lov'd."

During the times of the commonwealth, there roſe up in England a man, called George Fox, who, pretending to extraordinary illuminations of the divine ſpirit, ſtrenuouſly oppoſed the doctrines of the church of England. He ſet out to convert the whole world from the errors in which they then lived; and, in the courſe of his peregrinations, about the year 1654, came to Whitby, where he made a conſiderable number of Converts, who aſſembled together in a private manner, ſometimes at Whitby, and ſometimes at Eaſt-Row, when they ſilently waited for the motions of the ſpirit, and being ſeized with certain tremors or ſhakings, they gained from thence the appellation of Quakers: But not allowing their children to be baptized, it brought on diſputes with the eſtabliſhed church, and they were expreſsly forbid to bury their dead among other chriſtians that were interred in the church-yard. This laid them under a neceſſity of providing themſelves with a cimitery of their own; which they did in October, 1659, when they purchaſed a little croft in Backdale of Nicholas Sneton, a Shoemaker in Whitby, where they have ever ſince continued to bury their dead. In the reign of King Charles II. they underwent a ſharp perſecution for their religious principles, which made ſeveral of them leave their native country, and ſeek for an Aſylum in the wilds of America. Afterwards, times growing more moderate, in January 1669, they purchaſed a toft

toft (or old houſe-ſtead) in Church-ſtreet, Whitby, of Iſabel Sutton, a widow of Whitby, where afterwards they ſet about building a commodious meeting-houſe, which was opened in September, 1676, as were alſo at the ſame time two other meeting-houſes, built ſolely at the expence of the Quakers, viz. one at Malton, and the other at Scarbrough. Theſe meeting-houſes were not regiſtered, or properly licenſed, till October 8, 1689, when King William, conſidering the Quakers as peaceable ſubjects, was pleaſed to indulge them with free liberty of conſcience. In the reign of Queen Ann they proceeded to erect another meeting-houſe, by ſubſcription, in Stainton-Dale, which was regiſtered at the quarter ſeſſions held at Stokeſley on July 13, 1708: And here the friends from Whitby have ever ſince that time been accuſtomed to meet the friends from Scarbrough, to perform their worſhip, and to conſult about ſuch public affairs as concern their ſociety. They are now in poſſeſſion of all theſe meeting-houſes; and their number in Whitby, and its environs, is at preſent ſomewhat more than 300.

As for the Preſbyterians, they were never conſiderable enough to form a congregation at Whitby before the year 1695. It was then they firſt rented a houſe, on the eaſt ſide of that where Mrs. Bagwith now lives, in which divine ſervice was regularly performed by Mr. Brookes their firſt miniſter. But the revenue was ſo ſmall, that in ten years time they had no leſs than four different miniſters, viz. the aforeſaid Mr. Brookes, and after him Mr. Worthington; who, removing to Durham, was ſucceeded by Mr. Duckingfield; and he conforming to the church of England, Mr. Thompſon was appointed his ſucceſſor, in whoſe time the meeting-houſe was held on the Staith-ſide, in a houſe near that in which Adam Parkinſon now lives. He removing to Nottingham in the year 1715, was ſucceeded as miniſter at Whitby by Mr. J. Reddid; in whoſe time Mr. Leonard Wilde, a ſailmaker at Whitby, being a leading man among the diſſenters, bought ſome houſing near the lower end of Flowergate, about the year 1715, where a commodious meeting-houſe was ſoon after erected, in which divine ſervice ſtill continues to be performed; and at his death, in the year 1732, he not only paid off a conſiderable mortgage that was thereon, but alſo left a farm of land to the ſame, now lett for about 24 l. a year, for the ſupporting a diſſenting miniſter at Whitby for ever. His tomb yet remains to be ſeen in Whitby church-yard, with a head-ſtone over it, on which is the following inſcription:——"M. P. Leonardi Wilde piet. dedit. qui obiit 14 Febr. 1732, ætatis ſuæ 51."

Mr. Reddid dying in the year 1729, was ſucceeded as diſſenting miniſter at Whitby by Mr. Iſaac Barker, a gentleman that poſſeſſed all the ſimplicity of the primitive chriſtians, and was greatly eſteemed by his congregation. He dying in January 1756, was ſucceeded by Mr. William Lee, who, removing to Sunderland in the year 1764, had, for his ſucceſſor at Whitby, Dr. Wood; after whoſe death, in the year 1769, Mr. Thomas Watſon was appointed diſſenting miniſter at Whitby, where he ſtill continues to perform duty for a pretty numerous congregation. As for his revenue, I apprehend it may be about 60 l. a year; 24 l. of which ariſes from the farm left by Mr. Wilde, and the other 36 l. is raiſed by the voluntary contributions of his hearers, &c.

The

The Methodiſts firſt roſe up among us at Whitby about the year 1750, and kept gradually increaſing till the year 1764, when they erected an octagonal meeting-houſe in Henrietta-ſtreet, where they ever ſince continue to aſſemble, and where Mr. William Ripley is the regular teacher appointed by Mr. Weſley, who annually viſits Whitby, as do alſo many other itinerant preachers, who betimes ſomewhat eaſe the burden that is laid on Mr. Ripley's ſhoulders, and moſt aſſuredly perform a meritorious work, if they reform the morals of ſuch as are wicked and profligate.

In the year 1770, a ſchiſm aroſe in this meeting-houſe, which has conſiderably leſſened the number of Methodiſts at Whitby; for Mr. James Brownfield, who was a leading man among them, commencing an Independent, and erecting a new meeting-houſe, drew away after him much people, who deſerting Mr. Ripley, and becoming Independents, have divine ſervice regularly performed among them in a very decent and orderly manner. The number of hearers in both theſe congregations is very conſiderable.

WHITBY is ſituate in latitude 54° 29′ north, and in longitude 0° 27′ weſt of the meridian of London, being at the end of the 10th, or rather in the beginning of the 11th climate: The variation of the compaſs there, in this preſent year 1777, is 22° 20′ weſterly; and when the moon is S. W. by W. or N. E. by E. it is full ſea in the harbour. The riſing of the land, for a conſiderable diſtance into the country, makes the ſun-beams fall ſo obliquely upon us, that we are almoſt on an equality, in regard to cold, with the inhabitants of Shetland and the Orkneys; and this cauſes our harveſts, in a general way, to be later than what they are in other parts of England. The ſoil itſelf is barren, and produces little without being well manured, the greater part thereof abounding with a ſtiff red clay, from whence excellent bricks are made; and as we approach the moor, this clay inclines more and more to black, till at length it entirely ends in rotten moor. There is indeed ſome ſoil of a light or ſandy nature to be met with in ſome valleys near the Eſke; but that ſoil is not far extended before it degenerates, and terminates in a ſtiff clay. The ground almoſt every where, for a conſiderable number of miles around Whitby, at a proper diſtance below the ſurface, abounds with allum-mine; above which, in many places, excellent quarries of free-ſtone are to be met with, and in ſeveral places iron-ſtones are alſo to be found. Moreover, underneath our Cliff, adjoining to the ocean, the pyrites, or fire-ſtone, is not unfrequent, which, being rubbed with ſteel, emits fire all around it in a moſt ſurpriſing manner. Nor is it at all improbable that, in ſome future generation, coals will likewiſe be diſcovered within the limits of Whitby-Strand; which, though not equal to thoſe imported from Newcaſtle and Sunderland, may at leaſt vie with ſuch as come from Danby and Goatland, and be of no ſmall emolument to the town of Whitby. I have often thought it was a pity that no attempt was made for finding ſomething of this kind in the neighbourhood of Swarthoue-Croſs, where there is great reaſon to believe a conſiderable ſeam of coals lies, which might be wrought at an eaſy expence,

pence, on account of the fine opportunity which there offers itſelf for carrying away the water.

In the ſpring months of the year, we never fail to have the wind from the eaſtern points of the compaſs, almoſt conſtantly, for two or three months together; and, *vice verſâ*, in the autumnal ſeaſon, it is known that weſt and ſouth-weſt winds are moſt frequent with us. When the moon is in her ſyzygies, or *in perigæo*, there is generally a great flux of the ocean from the polar towards the equatorial parts of our globe; and that attracting the lower parts of the atmoſphere, and theſe again thoſe immediately above them, frequently produce northerly winds, and ſometimes ſtorms, than which none are more dreadful, or more to be feared on our coaſt. On account of the elaſticity of the air, it is not poſſible to form any regular ſyſtem of theſe ſtorms, or to tell preciſely either when they will begin or end, though they ſeldom ſubſide before the tides take off, which is commonly three days after the moon has been *in perigæo*, or in her ſyzygies.

The ſea keeps continually gaining upon the land on our coaſt; but whereever it meets with the moſt reſiſtance it makes a ſlower progreſs, and on that account forms bays in ſuch places where the land makes the leaſt reſiſtance, which induces me to think, that at the creation of the world our coaſt, as far as Whitby-Strand extends, was formed ſtraight, and that theſe bays we now behold to the weſtward of Whitby and the Peak, are entirely the effect of the waves beating in thoſe places againſt land which is leſs capable of reſiſting their violence than is that we find at Peak, Bay-Neſs, Saltwick, and Runſwick-Nabb. Theſe bays will moſt aſſuredly grow deeper and deeper to the end of the world, or at leaſt till the ſea meets with ſome rock or mineral more capable of reſiſting its fury than any thing which is now to be found either in Dunſley Bay or at the bottom of Stoupe-Brow.

As for our moors, barren and wild as they are, it is poſſible in future ages they may all become cultivated land: But before that can be brought about, they muſt firſt be incloſed, and after that throughly drained of the water that now almoſt every where ſtands upon them: Then afterwards they ought to be well fenced, and planted here and there with trees, ſo as to defend them from the cold and bleak winds that now hinder them from producing any thing but ling. When this is done, they ſhould be plowed in ſuch manner that there may be always an eaſy deſcent by which the water may be carried off; for it is beyond all doubt that moor is originally produced by cold, and a ſtagnation of water upon it.

That theſe moors have not always been in the condition we now behold them, is evident from the pits which the country men dig therein for the providing themſelves with peats to be uſed as fuel during the winter ſeaſon of the year, where they frequently meet with trees of different kinds at the depth of eight or nine feet below the ſurface of the moor, which it would be difficult to account for any other way than by ſuppoſing them to have grown in thoſe places. Beſides the oak and the aſh, even the alder and hazel-tree have ſometimes been dug up there; alſo nuts with kernels in them have been found contiguous to thoſe hazel-trees. Now it is known that this ſpecies of wood

ſoon

ſoon corrupts, and entirely putrifies, when expoſed to the open air; we cannot therefore ſuppoſe them to have fallen down there through age, or even to have been cut down and laid there any conſiderable time above ground; it is much more probable that they were covered up in the places where we now find them at the time of the general deluge, when, growing in valleys, or low ground, they were overwhelmed all at once with the rubbiſh that deſcended from the tops of the adjacent hills and mountains, and lying continually in the ſame ſtate, with regard to moiſture, they have remained there uncorrupted till theſe our days: Nor is it at all improbable but in digging ſtill deeper many more remains of antediluvian wood might be found. However I cannot help obſerving here, that on admitting the aforegoing hypotheſis, theſe nuts prove to a demonſtration that the flood of Noah happened in the autumnal ſeaſon of the year, and moſt probably in the month of September, when it is known that kind of fruit is always ripe with us here in Yorkſhire.

As for our other curioſities, they are almoſt all to be met with beneath the Cliff on the eaſtern ſide of the Eſke, and may be reduced under the following heads, viz.

1. The ammonitæ, or ſnake-ſtones, which are found in our Scarr between the high-water and low-water mark. This Scarr or rock is formed by a ſtratum of allum-mine nearly on a level with the ſurface of the ocean; and the ſnakes are all incloſed in hard elliptical ſtones, which ſeem to have been ſtuck therein, being coiled up in ſpiral volutes, and every where reſembling that animal in their form and ſhape, ſave only in the head, which is always wanting. They are of two different ſpecies; ſome of them being round-bodied, fluted or infulated; while others are flat-bodied, ridged on their backs, and pitted on their ſides. The round-bodied ſnakes are girt, or encompaſſed round, from end to end with ſemicircular channels or cavities, the appearance of which is juſt the reverſe to that of a caſk bound about with wooden hoops contiguous to each other; for the hoops are convex, or raiſed above the body of the caſk; whereas theſe rings are concave, or let into the body of the ſnake. The other ſpecies of ſnakes have a ridge on their backs, and are flatted on the ſides as if they had been preſſed together, the marks wherewith they are pitted or indented reſembling the impreſſion a man's thumb makes on any ſoft ſubſtance. The ſtones wherein theſe ſnakes are incloſed muſt be broken very carefully, otherwiſe the ſnake will break alſo. The impreſſion which the ſnake leaves on its bed or nidus within the ſtone is very perfect and beautiful. Sometimes the body of the ſnake is powdered with ſhining ſpecks; and ſometimes it is of a bright yellow colour, as if it were gilt. The ſnake ſeems to be a different mineral from the ſtone wherein it is incloſed, and, when broke, its ſubſtance within reſembles ſaltpetre in colour, tranſparency, and hardneſs. Theſe ſnakes are of various ſizes, the ſpiral convolutions being from one to ſix or ſeven inches diameter: The flatted ſnakes are the largeſt; but the round-bodied, infulated ſnakes, are not only the moſt numerous, but alſo the moſt beautiful. It is a conſtant tradition among the vulgar, in this part of Yorkſhire, that all theſe were formerly real ſnakes, with which Whitby and the country adjacent were infeſted, and that they were whipped

over our Cliff by Lady Hilda with a certain holy or magical wand; when loſing their heads by the fall, they were afterwards, at her fervent prayer, converted into ſtones, and aſſumed the figure we now find them in. But enough of this; let us now proceed,

2. To the petrified ſhells, or ſhell fiſh, which are alſo found in great abundance under our cliff, and are of the bivalve kind; being found, not ſingly, but in pairs, connected by a joint or hinge, and cloſed together like compleat and perfect ſhell-fiſhes; but upon breaking them, inſtead of a fiſh, you find them filled with ſtone exactly reſembling the allum-mineral wherein they lie. The ſhell ſeems ſomewhat different from its contents, and ſhivers into thin ſhining flakes or laminæ, being very brittle. The lineaments, ſeams, or traces, which diſtinguiſh the growth and texture of real ſhells, are here very diſcernable, and nicely preſerved; and to all appearance theſe ſhells are of the cockle kind; though even that has by ſome been diſputed. Petrified ſcollop ſhells are likewiſe ſometimes found on our Scarr, but theſe are very rare.

3. The trochitæ, or thunderbolts, as they are vulgarly called, are alſo found in great numbers under our Cliff; being conical ſtones of various ſizes, from a quarter to an inch and a half diameter at the baſe, and from one to five or ſix inches long. The ſloping ſide of theſe little cones is not ſtraight, but convex, curving or bulging outwards, but not much. Upon breaking or cutting theſe ſtones parallel to the baſe, the ſection is always found to be a radiated circle, innumerable radii iſſuing from the centre (which is in the axis of the cone) to every part of the circumference or ſuperficies of it. Large pieces of the Scarr are frequently met with, ſtuck full of theſe trochitæ in all manner of directions, and very confuſedly huddled together, which I apprehend may have been the reaſon of their being firſt called thunderbolts by the vulgar.

4. In our Scarr, and in the allum-works adjoining, are alſo found many pieces of petrified wood, ſome of them of a conſiderable ſize. Theſe are not to be diſtinguiſhed by the eye from real wood; and that ſpecies of wood generally appears to be oak. In ſome of it I have obſerved, very diſtinctly, the bark, the inner rind, the fibres, the grain, the knots, and every thing elſe pertaining to oak timber. Here we meet with little fragments of it, like chips; and there we obſerve large trees of it, with branches iſſuing regularly from them, the ſame as in a foreſt. It is not many years ſince we had expoſed to public view on our Scarr, the ſtump of an aſh tree, with all the fibres and roots adhering thereto, the ſame as when theſe kind of trees are dug up on dry land. Nor can any one diſcover this from real wood, without handling it. It is brittle, friable, and not quite ſo heavy as common ſtone. Sometimes ſmall pieces may be broken therefrom with one's hand; but then this muſt be while it is in the Scarr; for after it is carried into a houſe, and lies dry for a few days, it becomes as hard as other ſtones. When put into the fire, it burns almoſt as freely, and with as bright a flame, as real wood; but no longer than till all the ſulphur therein is conſumed, for then it goes out immediately, and is found not to be much diminiſhed in weight.

Beſides

Beſides the petrifactions already mentioned, ſome others have at different times been found under the eaſtern Cliff near Whitby, which cannot properly be referred to any particular claſs.——The earlieſt of theſe, whereof I have been able to gain any information that might be depended on, was the petrified arm of a man dug up on our Scarr, by Dr. Woodward, near ſixty years ago, when on a viſit at Whitby; in which all the bones and joints belonging to the arm and hand were very viſible, and ſeemed regularly and properly formed, with cavities in them for the marrow, the ſame as if they formerly had belonged to the human ſpecies. And this the Doctor carried away with him as a great curioſity.——Afterwards, about the year 1743, the Rev. Mr. Borwick, and others, found in our allum-rock the compleat ſkeleton, or petrified bones, of a man, which they dug up: But, though they uſed the utmoſt caution, it was broken into many pieces, and greatly mutilated, before it could be taken out. However, in the condition it then was, they ſent it to one of our univerſities, as a great curioſity.——After this, in the year 1758, the petrified bones of a Crocodile (an animal that was never known in our ſeas) were taken out of the rock under our Cliff; and theſe, though broken into many pieces, were ſent up to the Royal Society; for a particular account of which the reader may conſult the Philoſophical Tranſactions, vol. 50. part 2. art. 92.——Moreover, about the year 1762, the ſkeleton, or petrified bones, of a horſe were found in the allum-works at Saltwick, at the depth of about thirty yards under ground, which were taken up with much care, though not without being conſiderably broken, and ſent as a natural rarity to the univerſity of Aberdeen.——Alſo nearly at the ſame time (as I am credibly informed) the labourers at theſe allum-works, in digging down the ſolid rock formed by the allum-mine, at the depth of about thirty yards under ground, found a live toad, which being entirely ſecluded from the external air, and at ſo great a diſtance under the ſurface of the earth, it ſeems impoſſible to conceive how it could exiſt, or even to tell which way it came there.

Naturaliſts are much divided in their manner of accounting for theſe curioſities; the learned Dr. Liſter, Camerarius, Nicholſon, and others, ſuppoſe them to be a mere *Luſus Naturæ*, or *Lapides ſui generis*, produced by a fermentation, or ſome peculiar property, inherent in all allum-mines; to prove which, they bring inſtances of ſimilar petrifactions found at Rome, Rochelle, Lunenburgh, and every other place where any allum-rock is to be met with.——On the contrary, Dr. Woodward, and ſome other very eminent Naturaliſts, believe all theſe ſtones to have been antediluvian animals, and that by the convulſions with which the flood ſhook our globe, they were overwhelmed, and buried in its bowels, where meeting with earth or water of a petrifying quality, they, by degrees, became ſtones, which ſtill retain the primitive or original form of that ſpecies of animals to which they belonged.——But here I think it incumbent upon the Doctor, and his adherents, to prove that our earth was thus ſhattered and broken near its ſurface by the flood of Noah; a taſk which to me appears very difficult: For had the external parts of our globe then undergone any great change, apparent veſtiges thereof would have yet remained, a manifeſt confuſion and diſ-

order muſt have appeared, and the ſeveral ſtrata under its ſurface could never have laid in that regular order we now behold them; the heavieſt of them would moſt aſſuredly have ſunk the loweſt, and the lighter ones remained uppermoſt, or neareſt the ſurface; nor could any uniformity have been preſerved; for the whole muſt have been confuſedly jumbled together, and the undermoſt part of each ſtratum would have been rudely joined and intermixed to a conſiderable depth with that immediately below it: Neither does it ſeem at all probable that wood, and animals ſtill lighter than wood, could have ſubſided, and been laid more than ſixty yards under ground, with many different beds of maſſy ſtone and rock above them. Let any one ſurvey our Cliffs, and he will ſoon perceive that there is the moſt exact ſymmetry and order to be traced through the ſeveral ſtrata which are laid there, and that they adhere together in a more regular, even, and orderly manner than ever they could have been placed by the hands of man; in ſhort, that the whole fabric has in it the marks and characters of an Almighty Architect, where nothing has undergone any conſiderable change ſince its firſt creation; though the heavieſt ſtrata are not always found at the greateſt depth, for above the allum-mine we meet with a ſolid body of iron-ſtone, much heavier than allum-mine; and above that is a ſtratum of doggers, ſtill heavier than the iron-ſtone; above which is a thick bed of marl or earth, and that is covered with a heavy bed or quarry of free-ſtone; over which is found ſeveral different ſtrata of marl or earth, till we come at the earth's ſurface. The floor of a room cannot be more evenly and exactly laid by the hand of the moſt ſkilful joiner, or carpenter, than theſe ſeveral ſtrata are placed one above another, while all of them are connected together with the utmoſt regularity and order. What ſigns or marks then do they bear in them of a deluge? Or how can we ſuppoſe them ever to have been ſo much convulſed as to admit animals and large pieces of timber under them? The whole of this is certainly a chimera, and muſt be treated as ſuch by every intelligent perſon who carefully views them.——Perfect reſemblances of thoſe very cockle-ſhells before-mentioned are to be found within the hardeſt flints under our Cliff, in ſeveral of which ſome hundreds of them are to be ſeen; but then, though very curiouſly formed, they ſtill preſerve the colour of the ſtone to which they belong, and cannot be ſuppoſed by any one ever to have been bodies or living animals diſtinct and ſeparate from that ſtone.——Under a thorough conviction of mind therefore I freely give my aſſent to the opinion of Liſter and his followers, being fully perſuaded that none of theſe petrifactions were ever real animals, or in any other ſtate than that in which we now find them. All that I have to obſerve further on this head is, that the knowledge of man is very imperfect; many things in nature ſeem myſterious to us; but when we are not able to comprehend them, we ought not to preſcribe bounds to the Creator, or to ſuppoſe his power limited in the mineral world, ſo as to coincide with thoſe romantic ideas we form thereof.

About the year 1750, a compleat Oſſification was found on the north ſide of our eaſt pier, not far from the Cliff. It was taken up in the ſea by a Gentleman who was then bathing, and appeared to be part of a human ſkeleton, conſiſting of three ribs, with the fleſh between them, and on the inner ſide of them,

them, totally offified and turned into bone. There were alſo on the outſide thereof ſome remains of ſkin, the pores of which might readily be diſcerned; but this ſkin was not in an offified ſtate; for, after being kept ſome years, it entirely mouldered away to duſt. This rarity, at the earneſt requeſt of the late Dr. Dealtry of York, was preſented to him by the Gentleman who found it; but in what hands it now is, I am not able to inform the reader.

We muſt not here forget to make mention of theſe worm-eaten ſtones which are found in ſuch abundance under our eaſtern Cliff between high-water and low-water mark. The ſtones in which theſe worms moſt delight are generally of the hardeſt nature; many of them being real flints, and the others almoſt equally as hard. It is known by experience that the worms never meddle with any ſoft or common free-ſtone, as not being food ſolid enough for them. They are of a whitiſh colour, ſome of them ſmall, and others about the ſize of a man's little finger, bearing ſome reſemblance to thoſe worms which we often find in a ſhip's bottom and ſides after returning from a Weſt-India voyage. They force their way into a ſtone by turning round and round, in the ſame manner as a mechanic turns round an augur or gimblet to penetrate wood; and after their head has once fairly entered the ſtone, it enlarges conſiderably, ſo that the worm can no longer retreat or draw itſelf back by the way it came in; but muſt either live and die there, or elſe perforate a new paſſage through ſome other part of the ſtone. Sometimes theſe worms will only gently raſe the outſide of a ſtone, and then leave it for another, which probably they find to be more agreeable food. In ſome ſtones you will only find two or three of them, while in others you may obſerve more than a thouſand; and there are ſeveral of our ſtones ſo particularly agreeable to them, that they never leave gnawing at them till they are almoſt entirely conſumed.

I ſhall conclude this hiſtory of our curioſities by giving ſome account of a ſpring that is about a mile E. S. E. from Whitby, and riſes in a field belonging to N. Cholmley, Eſq. After erecting the allum-works at Saltwick, it being feared there would be a deficiency of water, it was propoſed to bring the water of as many ſprings in the neighbourhood to theſe works as poſſibly they could. Now this ſpring was a very remarkable one, and had always a ſtrong current of water running therefrom; but it was found to be near ſix feet below the level of the ground which lay between it and the allum-works; to cut through which, for more than half a mile, would have been attended with much labour and expence, and to fix a pump at the fountain head would have been ſtill worſe. Therefore Mr. Jonas Brown, (one of the proprietors of the ſaid works) after erecting a very firm ſtone wall about the ſpring-head, had it rammed behind with clay, and ſtrongly banked up all around, to a conſiderable height and diſtance from that wall: After which, a trial being made, the water roſe five feet perpendicularly above the ſurface of the earth, and then burſt out in ſeveral places on the outſide of the bank. On this the well was emptied, theſe ſhattered places around the ſpring were all thoroughly repaired, and ſeveral more trials were made, by which it was found that the water could not poſſibly be raiſed to any greater height than five feet; and it was reſolved to make up the deficiency that ſtill remained by digging. But, before undertaking that, the ſpring was to be conveyed

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up an aſcending ground over which a highway paſſed, and no pipes or troughs could be placed above ground on account of this way. Mr. Brown therefore, to overcome this difficulty, laid a ſubterraneous pipe, to communicate with the bottom of the well, in which the water freely aſcended very nearly to the height of five feet, at a diſtance of almoſt twenty yards from the ſpring-head. And hence a canal being made, about two feet deep, conveyed the water away in a regular ſtream to the allum-work pond; than which it perhaps could not be in the power of man to deviſe any thing more eaſy, artful, and ingenious to gain the advantage of a ſpring which was originally ſituate ſo much under the level that was required.

Four canvas factories are now carried on at Whitby, which give conſtant employment to 700 or 800 ſpinners, and a very conſiderable number of weavers. The quantity of canvas made there weekly is at preſent about 5000 yards, a great part of which is diſpoſed of to government for the uſe of the royal navy of England; a conſiderable part thereof is vended among our own ſhipping, and the remainder is either ſent to other ſea-port towns on our coaſt, or otherwiſe diſpoſed of as the maker judges moſt for his advantage. True it is that ſo large a quantity of canvas is not made here in peaceable times, when the government have no great demand for it, and marine affairs are in a leſs flouriſhing ſtate; but the quantity will always be very conſiderable while it is made to ſuch perfection, and at ſo low a rate as we now ſend it to market.

Whitby has long been noted for building good ſhips for the merchants ſervice and coal trade, but never was in ſo much fame on that account as at preſent. Our maſter-builders underſtand their buſineſs extremely well, and know the exact geometrical proportion all the parts of a ſhip ought to have with regard to each other. They are beſides very aſſiduous and diligent in their vocation; and not only attend the ſhip-yards themſelves from five in the morning till ſeven every evening, but alſo oblige every one under them to do the ſame. And wages not being ſo high as in moſt other places, it follows of courſe that carpenter work is done both cheaper and better at Whitby than in any other part of England. Hence it comes to paſs that our docks are oft filled with ſhips from diſtant parts of the coaſt; and hence alſo it is that many merchants, concerned in marine affairs, who are deſirous of having good ſhips, being convinced they no where elſe can be ſo well ſerved, apply to the maſter-builders at Whitby, and frequently agree for a turn on our ſtocks a year or two before their work can be done. Nor does any ſea-port town in England build a number of merchant ſhips annually equal to thoſe we launch and fit out at Whitby. There are generally twelve or thirteen large ſhips on the ſtocks, about half of which belong to the inhabitants of Whitby, and the other half are for London and other ſea-port towns on the coaſt. The number of new ſhips built at Whitby in a year is commonly twenty four or twenty five, whoſe value does not fall ſhort of 80,000 l. beſides what is done in repairs at the docks, where 10 or 12,000 l. more is annually expended. The number of carpenters belonging to our port is not leſs than 300; part of which are always at ſea, and the other part, with more than a hundred apprentices, attend the yards at Whitby,

by, to assist in building new ships. We now have many ships of 400 tons burden, King's measurement; but seldom built any so large as that, before our new bridge was erected in the year 1767. The part that draws up in it being then considerably widened, gives us an opportunity to make a considerable addition to the size of our ships. In the year 1776, the two largest ever built at Whitby were both launched; the one of which, for Mr. Hammond of Hull, is of 550 tons burden; and the other, for Mr. Chapman of Whitby, of 600 tons burden, King's measurement. Nor can we exceed this size; for our bridge will not admit a passage for any ship of larger dimensions.

The harbour is capable of containing all the shipping belonging to our port, but has been considerably damaged of late years by the immoderate quantity of *shale* which the land-floods bring down from the allum-works, which is of so extraordinary a nature that it will suffer nothing else to mix with it. It is so great an enemy to sand, that it insinuates itself among it like soap, destroys its consistency, and has removed it from every place where it formerly lay within our harbour, insomuch that the sea now comes into the port deeper and with more violence than ever it did in former ages, so as even to endanger all the staithing and houses that are built near the river.

I have already observed that we have 251 ships belonging to the port of Whitby, the greatest part of which are always employed in the coal trade; but, since the unhappy disturbances arose in America, seventy or eighty of them are in the transport service, fifteen or twenty are in the East Country trade, fourteen or fifteen go to Greenland, four or five are yearly sent to Archangel, Onega, or some other port in the White Sea; three or four, when opportunity offers, go up the Mediterranean, sometimes even as high as the Archipelago; three or four trade now and then to France and Holland; some few are constantly employed in importing to Whitby coals, and such other articles as we stand in need of; and the remainder keep trading coastways to by-ports, where they carry coals and such other merchandise as are usually vended at these ports. Few of our ships frequent the West-Indies, and not one of them hath ever been upon the coast of Africa. It hath heretofore been customary with us to send ships to almost all the several ports in North America; but all trade in that part of the world is now in a great measure interdicted, though it will probably return again after a while, and long be of advantage to the mother country.

Our staple commodity is allum, an article wherewith we furnish the greatest part of Europe, and which is at present made in no part of Britain except in the neighbourhood of Whitby, where the greatest part of the country, for an extent of more than thirty miles in length, and near twelve miles in breadth, is one continued allum-rock, consequently we can always send to market any quantity of allum that may be required: But the misfortune is, we generally overstock the market; for when the price of it advances, and any considerable profits attend it, the owner of every allum-work wants to engross all the trade to himself; and so great a quantity of allum is made, that the price is soon reduced, and it lies on their hands as a dead stock, insomuch that far from being enriched, they frequently lose large sums thereby, and are even sometimes reduced to beggary, which leaves room for the

Papists

Papiſts to ſay, *The Pope's curſe has not been altogether without its effect.* And certain it is, that very few gentlemen in this part of the nation have been any conſiderable gainers by allum-works, though great expectations have oftentimes been formed, which in the end have all evaporated. However, it is ſelf-evident, that all concerned in theſe works might get a ſufficient profit, if they would but enter into an agreement among themſelves to ſtate the quantity of allum each work ſhould make, ſince neither the foreign markets, nor even theſe in our own nation could be properly ſupplied elſewhere, and the price might eaſily be raiſed to twenty four or twenty five pounds per ton. But to ſuch an agreement the principal owners will not conſent, who want to knock off, and wholly diſable, all petty dealers in the allum trade that are not ſo rich as themſelves, and then afterwards to divide the advanced profits among them as they ſhall think proper.

There are in our neighbourhood allum-works eſtabliſhed at Peak, Stoupe-Brow, Saltwick, Little-Beck, Goodland-Banks, Eſkedale-Side, Sands-End, Kettleneſs, Lingberry, Boulby, Saltburn, Giſbrough, Ayton, Carlton, and Oſmotherley; but theſe at Goodland-Banks, Ayton, Carlton, Saltburn, and Oſmotherley, are not now wrought. There was alſo another allum-work carried on, not many years ago, at Pleaſington in Lancaſhire, but the uncertain profits attending it has induced its owners to lay it aſide. And there is no doubt but allum-rock might be found in ſeveral other parts of England, if a proper ſearch was made; as for example, about a mile to the northward of Simonburn in Northumberland: But I think it would be very imprudent for any gentleman to meddle with a trade that he may be almoſt aſſured would reduce his eſtate, if it did not entirely bring him to beggary.

When all the works before-mentioned were wrought, near 6000 tons of allum were made annually, which was found to be almoſt double the quantity that was uſed. At preſent not more than 3000 tons are made yearly, which coſts the proprietors about 14 l. a ton, and cannot be ſold with a living profit for leſs than 16 l. or 17 l. a ton. In what ſituation muſt they then be who ſell it for 13 l. a ton, after having laid out near 10,000 l. to begin trade? My anſwer is, in ſuch a ſituation as it would hardly be charitable to wiſh our enemies. He that is deſirous of knowing the whole proceſs for making allum, may conſult the Philoſophical Tranſactions, N° 842, p. 1052, where he will meet with a very particular account thereof; to which account I ſhall only add, that I would adviſe every one concerned in that trade to deal as little as poſſible with ſpring-water, ſince it is not more proper to be uſed in making allum than it is for waſhing or brewing with: Rain-water much more effectually extracts the virtues of the allum-mineral, and from an equal quantity of rock produces not only more but alſo better allum; and perhaps it might be found to be labour not altogether ſpent in vain, if ciſterns, or reſervoirs for rain-water were formed by thoſe concerned in making allum, and tile-ſheds built for filling them in the winter ſeaſon of the year, or whenever elſe rainy weather afforded an opportunity. We ſend abroad yearly 400 or 500 tons of the allum that is made in the neighbourhood of Whitby to foreign markets; and all the remainder is carried coaſtways to London, where the merchants diſpoſe of it as opportunity ſerves.

With

With regard to our other exports, coals taken in at Sunderland and Newcaſtle are the moſt conſiderable article: We alſo ſend abroad ſome canvas of our own manufacturing; and in times of peace ſeveral different commodities are ſent in our ſhipping to America, in lieu of which we receive back ſuch American produce as is moſt wanted in this part of the nation: Now and then likewiſe we ſend ſeveral ſpecies of merchandiſe up the Baltic, but theſe are never very conſiderable. And as for our other exports, which are yearly ſent coaſtways to London, they chiefly conſiſt of about 6000 firkins of Yorkſhire butter, 500 barrels of fiſh, and a conſiderable quantity of tallow, hams, and bacon.

Our imports are much more conſiderable. Sixteen thouſand chaldron of coals are yearly brought into our port from Sunderland, Newcaſtle, and Blyth-Nook; ſomewhat more than the half of which are conſumed in the town of Whitby, and the remainder are either uſed at the allum-works, or conſumed in the country adjacent. From Sunderland alſo we receive annually about a thouſand chaldron of lime; as likewiſe from thence and Newcaſtle almoſt all the bottles and glaſs we uſe. From Ireland and Scotland we import kelp for the uſe of our allum-works; a conſiderable quantity of which is wanted yearly, over and above what is made on our own coaſt. From Holland we import flax, wainſcot-boards, tarras, brandy, geneva, and canvas. From France we have brandy, and part of our wine. From the Eaſt Country we have hemp, flax, iron, timber, maſts, deals, oak-plank, capravens, pipe-ſtaves, lath-wood, battens, tar, ſpruce beer, and ſeveral other articles. From America we import rice, pitch, tar, turpentine, pine-boards, and ſome other commodities produced by the colonies. And laſtly, from North-Eaſt Greenland, and Davis's Straits, our ſhips bring home annually a conſiderable number of whales, the produce of which are generally diſpoſed of at London or Hull.

The genius of the inhabitants of Whitby has a moſt ſurpriſing turn for the ſea. Children, as ſoon as they are capable of action, endeavour to get upon the water, to handle the oar, to manage the ſails of a boat, and to ſteer. Hence it comes to paſs, that when they are ſent to ſea, at the age of thirteen or fourteen years, they are already more than half ſailors, and underſtand every thing belonging to a ſhip. Very few boys will go apprentices to any other buſineſs; and, if they do, they generally at the expiration of that term convert their thoughts to the ſea, where they ſee ſo many of their aſſociates in a fair way of making their fortunes, and where they have before their eyes ſo many living examples of men who are grown rich and opulent that had nothing to begin the world with, or nothing to depend upon but their own induſtry. Not leſs than 4000 ſailors belong to the port of Whitby; and when troubleſome times oblige the government to carry a number of theſe uſeful men on board ſhips of war, it is ſurpriſing to ſee what crouds of youth flock from the country, for many miles round, to ſupply their places; allured thereto, not only by the great indulgence and encouragement given by the government to three years ſervants, but alſo by the high wages offered by the owners of ſhips, and the proſpect they have of thereby bettering their circumſtances.

Several inſurance companies are eſtabliſhed at Whitby, which certainly are of much ſervice to the merchants and owners of ſhips in general, who are thereby ſecured, whenever they pleaſe, from any loſſes by ſea, fire, or war; and this has an extraordinary effect in encouraging a ſpirit of induſtry and enterprize, as it preſerves many individuals from being ruined by riſking their *all*; and, in caſe of any accident, ſecures a capital wherewith they can once more begin trade. Nor is there any place in Britain where the inſurers act with more honour, or more regularly and faithfully pay the ſeveral ſums they have inſured, when any diſaſtrous accident really happens.

The fiſh we have on our coaſt are, ſalmon and trout in the river Eſke, a part of which is yearly ſent to London; and, in the open ſea, cod, ling, butt, bratt, plaiſe, ſcate, coal-fiſh, herrings, mackarels, haddocks, whitings, gurnets, dabs, ſand-fiſh, lobſters, and crabs. We have alſo dog-fiſh, porpoiſes, and ſeveral other ſpecies of fiſh which are not eatable, as they live by preying upon ſuch as are ſold in our markets, of which they have greatly diminiſhed the breed of late years, ſince not more than half the number are now to be found on our coaſt that we had thirty or forty years ago, when, beſides our own conſumption, 150 or 200 tons were exported annually to Spain, or ſome other part within the Mediterranean, whereas at preſent we ſeldom or never ſend any fiſh to foreign markets: Nor (as it is believed by many) ſhall we ever more have it in our power to ſend any conſiderable quantity abroad, unleſs ways and means can be found for deſtroying the dog-fiſh, which are grown ſo numerous on our coaſt. But this is not to be done without the aſſiſtance of the legiſlature, by which, if a ſmall premium were offered for every ſcore the fiſhermen brought in, their whole breed might in a little time be extirpated, (as was the caſe formerly with the wolves here in England) to the no ſmall emolument of the fiſhermen who live upon our coaſt.

Almoſt all the different kinds of fiſh before-mentioned are carried away, while freſh, in great quantities into the country by pannier-men and others, ſome of them more than a hundred miles hence; and what remains, after ſupplying the market and theſe pannier-men, are either ſalted down, and ſent in barrels to London, or elſe dried, and converted into ſalt-fiſh, being ſold here afterwards as opportunity offers; but the price is much enhanced within theſe twenty years, theſe fiſh being now frequently purchaſed of the fiſhermen at twenty ſhillings a ſcore, which then ſeldom or never coſt more than five or ſix ſhillings a ſcore.

I ſhall conclude this hiſtory with obſerving, that ſo long as a ſpirit of induſtry and temperance prevails among us, our trade will flouriſh, and we ſhall be a rich, opulent, and happy people; but if ever we ſuffer ourſelves to be enervated, and become a prey to idleneſs, luxury, and intemperance, our riches will vaniſh, our trade will leave us, and we ſhall inſenſibly dwindle away into obſcurity.

THE END.

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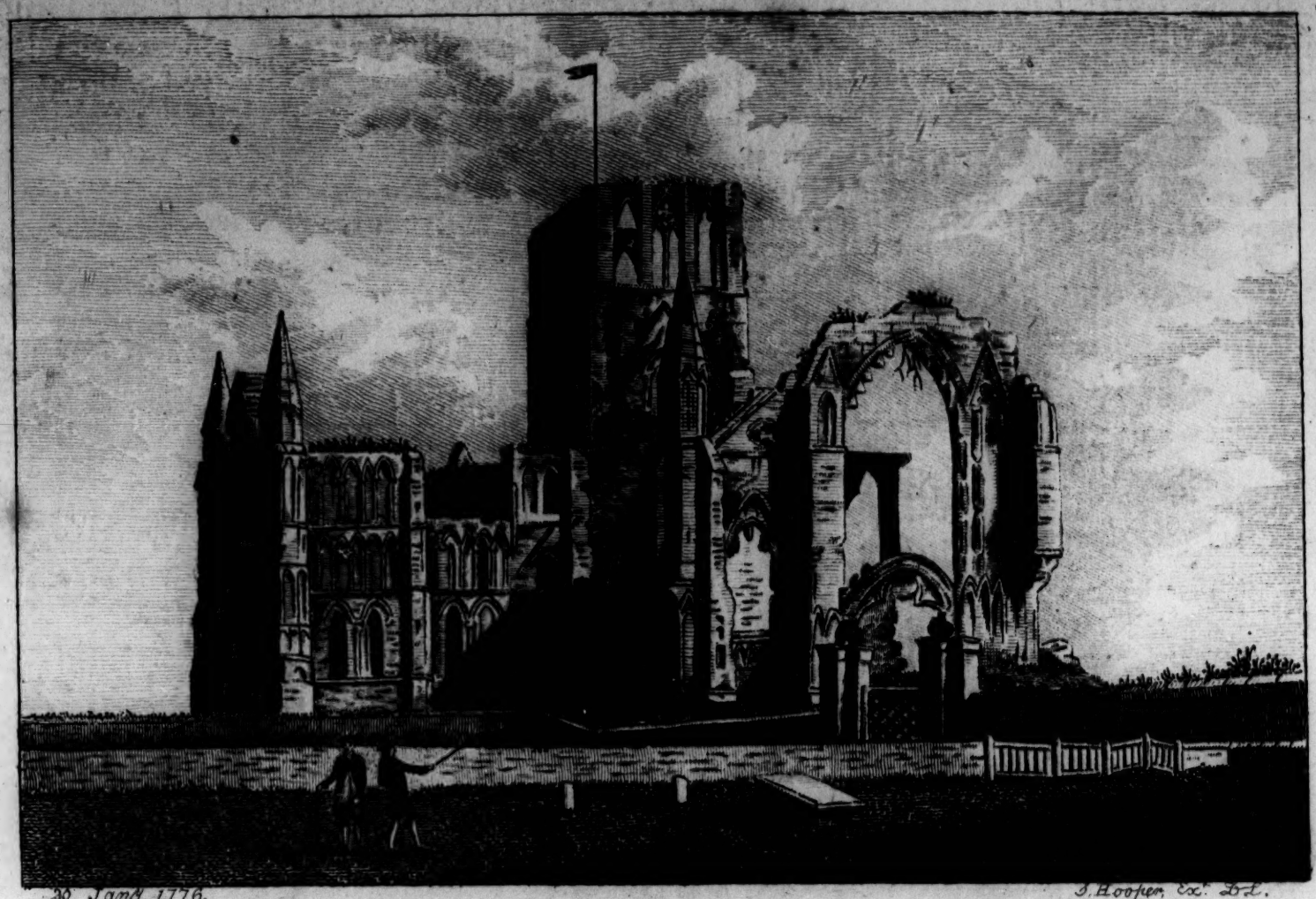
N. B. Many names and places occur in the Hiſtory which are not put into this Index.

BRITISH MUSEUM
GEORGE III



WHITBY ABBEY, YORKSHIRE.

PLATE I.

THIS Abbey, which was alſo called the Abbey of Streaneſchalch, Sinus Phari, and Preſteby, is in the Deanry and Archdeaconry of Cleveland. The following Hiſtory of its Foundation is given by Matthew of Weſtminſter, William of Malmſbury, and others:

IN the year of Grace 655, Penda, the Pagan King of Mercia, having invaded Northumberland with a great army, Oſwy, King of that diſtrict, endeavoured by large offers to prevail on him to withdraw his forces; but finding that both entreaties and offers were equally ineffectual, and that he muſt have recourſe to arms for his relief; he, according to the ſuperſtition of thoſe times, endeavoured to ſecure the divine aſſiſtance by the promiſe of religious foundations in caſe he came off victorious; and under that condition made a vow, that his daughter ſhould dedicate herſelf to the ſervice of God by a life of celibacy, and that he would moreover give twelve of his manſions for the erection of monaſteries. This done, he engaged and defeated the Pagan army, although three times his number: their King, Penda, was ſlain in the fight.

OSWY, in order to fulfil his vow, placed his daughter Ethelfleda, then ſcarcely a year old, as a Nun in the Monaſtery called Herteſeie, that is, Stag Iſland, of which St. Hilda was then Abbeſs; who having procured ten families or hides of land in the place called Streaneſchalch, built there a Monaſtery for both men and women, which was dedicated to St. Peter, and governed by an Abbeſs. This place was afterwards called Whitby. It was greatly enriched by the donations of Ethelfleda, who ſucceeded her father, after a reign of twenty-ſeven years, and here celebrated his funeral with great magnificence.

BURTON, in his account of this Monaſtery, ſays, "The building was begun in 657 for "men and women of the Benedictine Order; and though really founded and dedicated to "St. Peter, and endowed by King Oſwy, yet the honour is generally given to St. Hilda, "who became firſt Prioreſs thereof; and it is generally called St. Hilda's after her." Here, according to Tanner, many Biſhops and other pious and learned men were educated.

WHITBY CASTLE, YORKSHIRE.

THE ſtory goes, that in St. Hilda's time this place and its environs were terribly over-run with ſerpents. Theſe, by the prayers of St. Hilda, as the Monks aſſerted, were deprived of their heads, and turned into ſtones, as the writer of her life very properly obſerves, to the great amazement of the beholders. But the relators of this miracle have deprived that Sainteſs of half the honour due to her, ſince ſhe kindly provided houſes for the ſnakes ſo petrified—all of them being encloſed within a kind of ſtony matrix. Theſe ſtones are ſtill found in great quantities, and are what the Foſſiliſts call Ammonitæ.

THIS Monaſtery continued in a flouriſhing ſtate till about the year 867, when a party of the Danes, under Ingua and Hubba, landed at Duneſley Bay, two miles weſtward of this place, and encamped on an eminence on the eaſt ſide thereof, ſtill called Raven's Hill; which name it is ſuppoſed to have obtained from the figure of that bird being worked on the Daniſh enſign, which was there diſplayed. From thence ſtraggling into the country, they plundered and laid it waſte, and among other depredations entirely deſtroyed this Monaſtery, which lay in ruins for many years: the community being diſperſed, only Titus the Abbot fled with the relics of St. Hilda to Glaſtonbury. The title of Abbot given to one where the Monaſtery was governed by an Abbeſs, may at firſt ſeem inconſiſtent; but perhaps the Superior placed over the men had that appellation, though ſubordinate to the Abbeſs.

AT the Conqueſt, Hugh de Abrincis, an expert ſoldier, and perſon of great note among the Norman nobility, had Whitby aſſigned to him as a reward for his ſervices This he did not long hold, but diſpoſed of it to William de Percy, his aſſociate in that expedition. Other accounts, and among them that printed in the Monaſticon, from the Regiſter of the Abbey, ſtill in the poſſeſſion of ——— Cholmeley, Eſq; ſay, that the Town of Whitby was, by the Conqueror, firſt beſtowed on Hugh Earl of Cheſter, and by him granted to William de Percy and his heirs, to hold it as freely as he held it of the King.

WHITBY being then in the poſſeſſion of William de Percy, he in the reign of William the Conqueror refounded the Monaſtery then lying deſolate and in ruins, placing therein Benedictine Monks, and dedicating it to the honour of St. Peter and St. Hilda. He gave it only the title of a Priory, his brother Serlo holding the office of Prior. Under this title it remained till the reign of Henry I. when it was advanced to the dignity of an Abbey.

THE benefactions granted by this ſecond Founder were various and ample, ſuitable to his rank, munificence and devotion: among them were, the towns of Whitby, Stainſher, Newham and Stacheſby; the ſea-port of Wyteſby and Hameſſom; alſo Nordfield, Sudfield, Everley, Brokeſay and Fornelage; beſides churches and fiſheries, and diverſe other donations, too many here to enumerate; and the ſucceeding heirs of that family continued to endow it from time to time with a variety of valuable gifts, and many of them were there buried.

HUGH, Earl of Cheſter, ſhortly after its foundation granted to this Monaſtery the church of St. Peter of Whitby, with all its dependencies, and alſo the church of Flamborough, with its tythes. It had alſo many other noble benefactors, whoſe names and grants are regiſtered in the Monaſticon.

IN the 26th of Henry VIII. the yearly revenues of this Houſe were eſtimated at 437l. 2s. 9d. according to Dugdale; and 505l. 9s. 1d. Speed. The ſurrender of Henry Daval, the laſt Abbot, was enrolled 14th December, 1540.

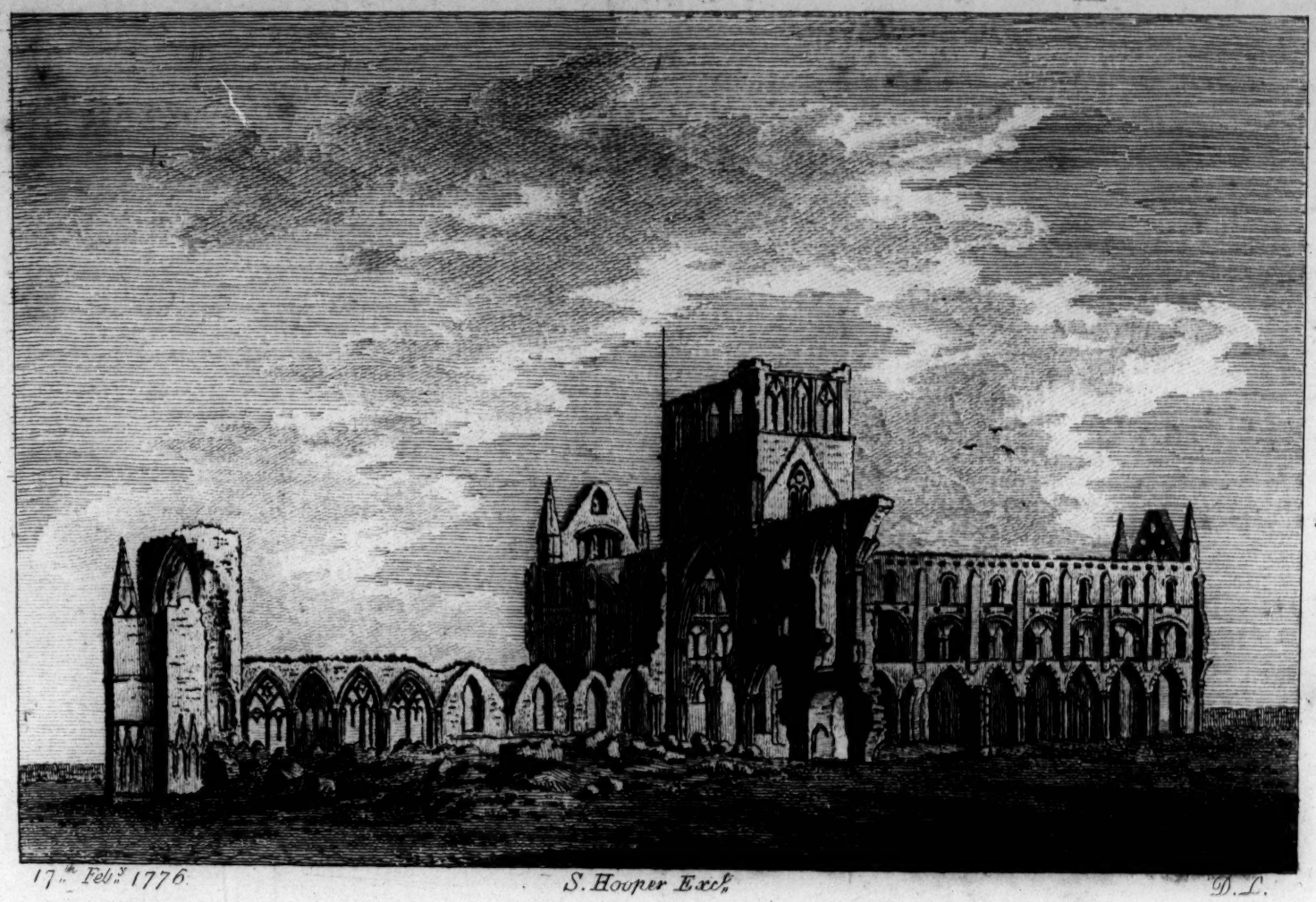
BROWNE WILLIS gives the following liſt of penſions, and what was remaining in charge:

JOHN HEXHAM had a penſion of 26l. per annum aſſigned him, who I conceive reſigned his abbacy a little before the Diſſolution. Ann. 1553 here remained in charge 6l. 13s. 4d in fees, and 100l. 5s. 4d. in annuities, and theſe following penſions:

To John Hexham, Abbot, 26l. Robert Woodes, 8l. Peter Thompſon, 6l. William Nicholſoune, Thomas Thorpe, Thomas Hewete, Henry Barke, 5l. 6s. 8d. each; John Watſonne, William Newtonne, William Froſte, and Robert Ledley, 5l. each.

THE ſite of this Abbey was granted 4th Ed. VI. to John Earl of Warwick, by whom in 1551 it was ſold to John York, and in the 1ſt and 2d of Philip and Mary by him to Sir Richard Cholmeley, Knt. anceſtor of the preſent Proprietor.

This View, which repreſents the North-Weſt Aſpect, was drawn Anno 1775.



17th Febr.y 1776. S. Hooper Excr. D. L.

WHITBY ABBEY, YORKSHIRE,

(PLATE 2.)

THE ruins of this once famous abbey ſtand on a high cliff ſouth-eaſt of, and overlooking the town, a little to the eaſtward of the pariſh church: for the aſcending this cliff from the town, there is a flight of 200 ſteps. A ſmall diſtance ſouth of the abbey, Mr. Chomley has a fine manſion, built probably with the materials taken from it. At the weſt end of theſe remains ſtands an ancient croſs, mounted on a pedeſtal, and ſix ſteps. At preſent it is much out of the perpendicular. A paſſage printed in Leland's Collectanea, from the life of St. Hilda, ſays, that in the painted windows of this abbey, it was ſhewn that before the arrival of William the Conqueror, the bordering Scots were Canibals or man-eaters, and were by that king puniſhed with the ſword for ſo unnatural and ſavage a practice.

SEVERAL ancient writers, and among them Camden, mention it as an eſtabliſhed fact, that the wild geeſe, which are here very common, were unable to fly over the abbey and its environs; and that in attempting it, they ſuddenly fell to the ground. This he proceeds to reaſon upon, and ſuppoſes to ariſe from ſome antipathy, or hidden quality in the earth. He would have done better if he had not taken the fact for granted; but the doctrine of ſympathies and antipathies were much in faſhion about his time, and true philoſophy at a very low ebb. It is, however, now certain, that St. Hilda and her monaſtery have loſt their attractive powers, all ſorts of birds now flying over them with impunity.

THE offices of this monaſtery are entirely taken down. The remains now ſtanding are thoſe of the church, which was once extremely magnificent, but certainly built ſince the re-foundation of the monaſtery by Henry de Percy, of which the pointed arches bear indiſputable teſtimony. It may,

perhaps, be urged, that theſe arches were conſtructed after its firſt erection; but an attentive conſideration of the ruins, or even of this repreſentation of them, will demonſtrate them to be coeval with the original building, which ſeems to have been finiſhed on one uniform plan, and was probably built when theſe kind of arches were firſt introduced, and before the round ones were entirely left off, moſt of the upper ranges eaſt of the tower being circular, as is the caſe in the monaſteries of Brinckburn, Holy Iſland, Kirkſtall, and many others. This church was conſtructed in the form of a croſs, and had three aiſles: over the centre of the croſs roſe a ſtrong ſquare tower. The length of the church was about 252 feet; the breadth of the middle aiſle about 30 feet, and that of the ſide ones, each 13 feet. The height of the tower is 104 feet; that of the walls 60.

A PAPER is printed and ſold in the town of Whitby, entitled, a Deſcription of Whitby Abbey, Monumental Inſcriptions, &c. together with Sir William Dugdale's account of the monaſtery, in which are the following particulars:

"WHITBY ABBEY was founded by St. Hilda, and is erected upon a hill ſouth of the river Eſk, near "the ocean. No remains of tombs or monuments, but very imperfect inſcriptions are to be ſeen: "there have been many cells or vaults, in which were ſome coffins that contained human bones; and "as ſome report, ancient coins. As fully to ſatisfy the curious, accept, I beſeech you, for the ſake of "antiquity, the following ancient, ſtrange, yet pathetick lines of St. Hilda, which are ſaid to have been "carved on one of the pillars of the abbey, of which part are to be ſeen; as that celebrated lady abbeſs "would not have her memory or works forgotten, by this addreſs to the contemplative reader.

An ancient building which you ſee
Upon the hill, cloſe by the ſea;
Was Strenſhall Abbey nam'd by me.
I above-mention'd was the dame
When I was living in the ſame,
Great wonders did, as you ſhall hear,
Having my God in conſtant fear.
When Whitby town with ſnakes was fill'd,
I to my God pray'd, and them kill'd;
And for commemoration-ſake,
Upon the Scar, you may them take
All turn'd to ſtone, with the ſame ſhape,
As they from me did make eſcape;
But as for heads, none can be ſeen,
Unleſs they've artificial been.
Likewiſe the abbey, now you ſee
I made, that you might think of me.
Likewiſe a window there I plac'd,
That you might ſee me as undreſs'd:
In morning gown and night rail there,
All the day long fairley appear.
At the weſt end of the church you'll ſee
Nine paces there, in each degree;
But if one foot you ſtir aſide,
My comely preſence is deny'd.
Now this is true what I have ſaid;
So unto death my due I've paid.

G.R. III BRITISH MUSEUM

THE remainder recites what has already been mentioned, reſpecting the reſtauration of this abbey, and the repreſentation in the windows, of the cruelty of the Scots borderers.

This view, which ſhews the ſouth aſpect of the monaſtery, was drawn anno 1774.